

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: APRIL 7, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767 SUP-3769 AND SUP-3770 - PUBLIC HEARING - **SUP-3771 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. -** Request for a Special Use Permit FOR A TAVERN on Pad P of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0**RECOMMENDATION:**

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 130 – SUP-3771

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

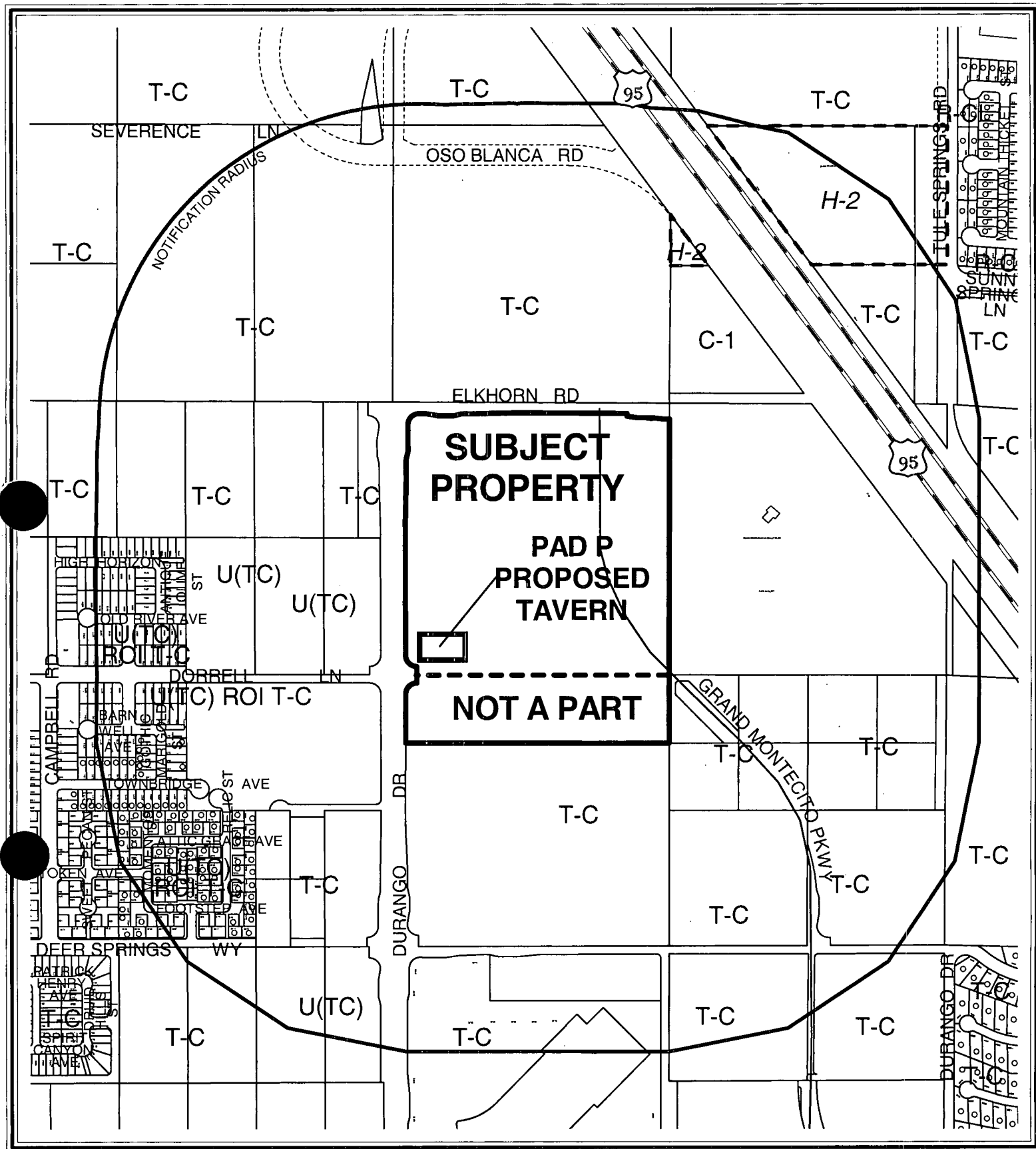
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3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Tavern use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3771

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

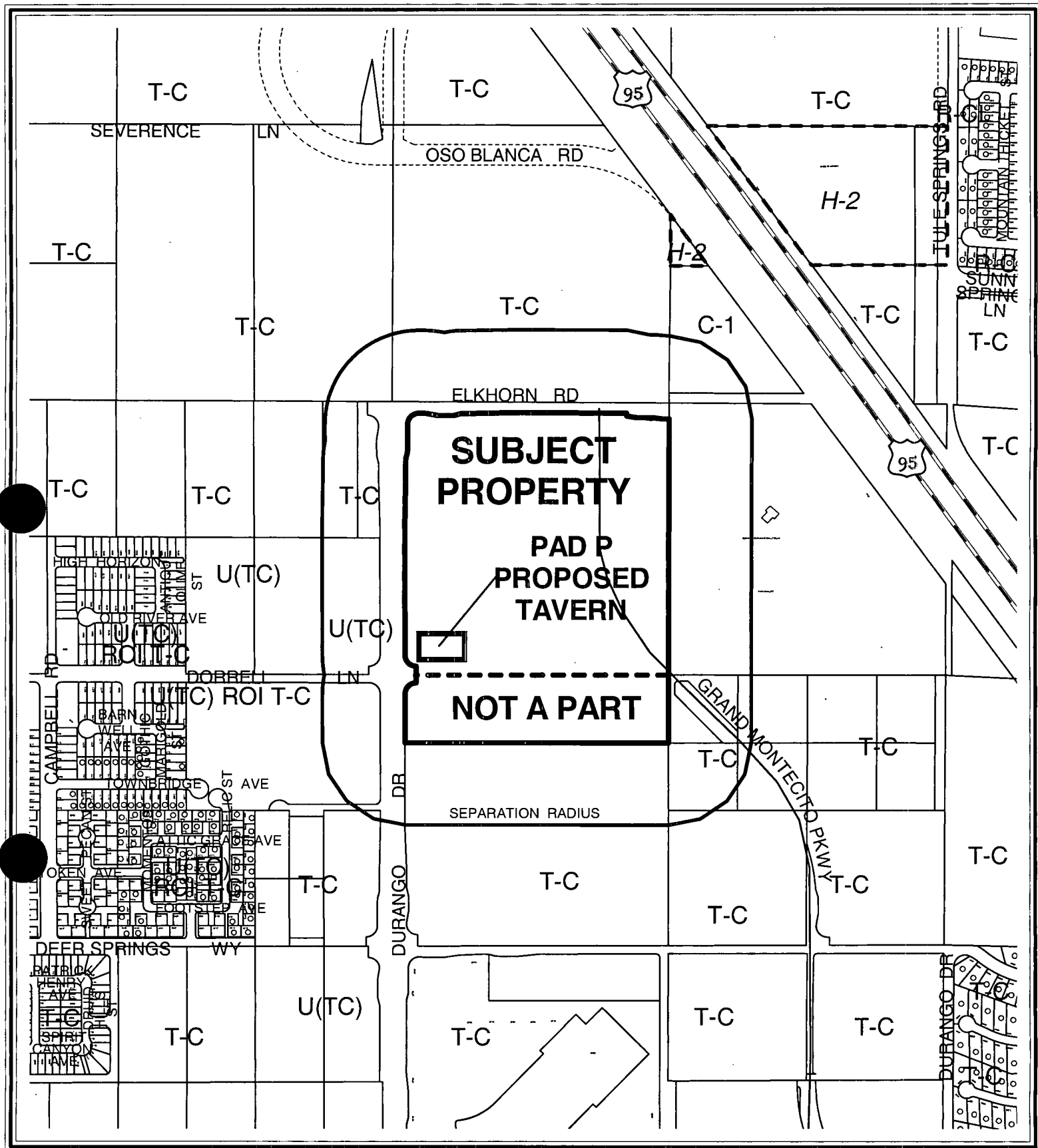
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

0 400 800 Feet



130





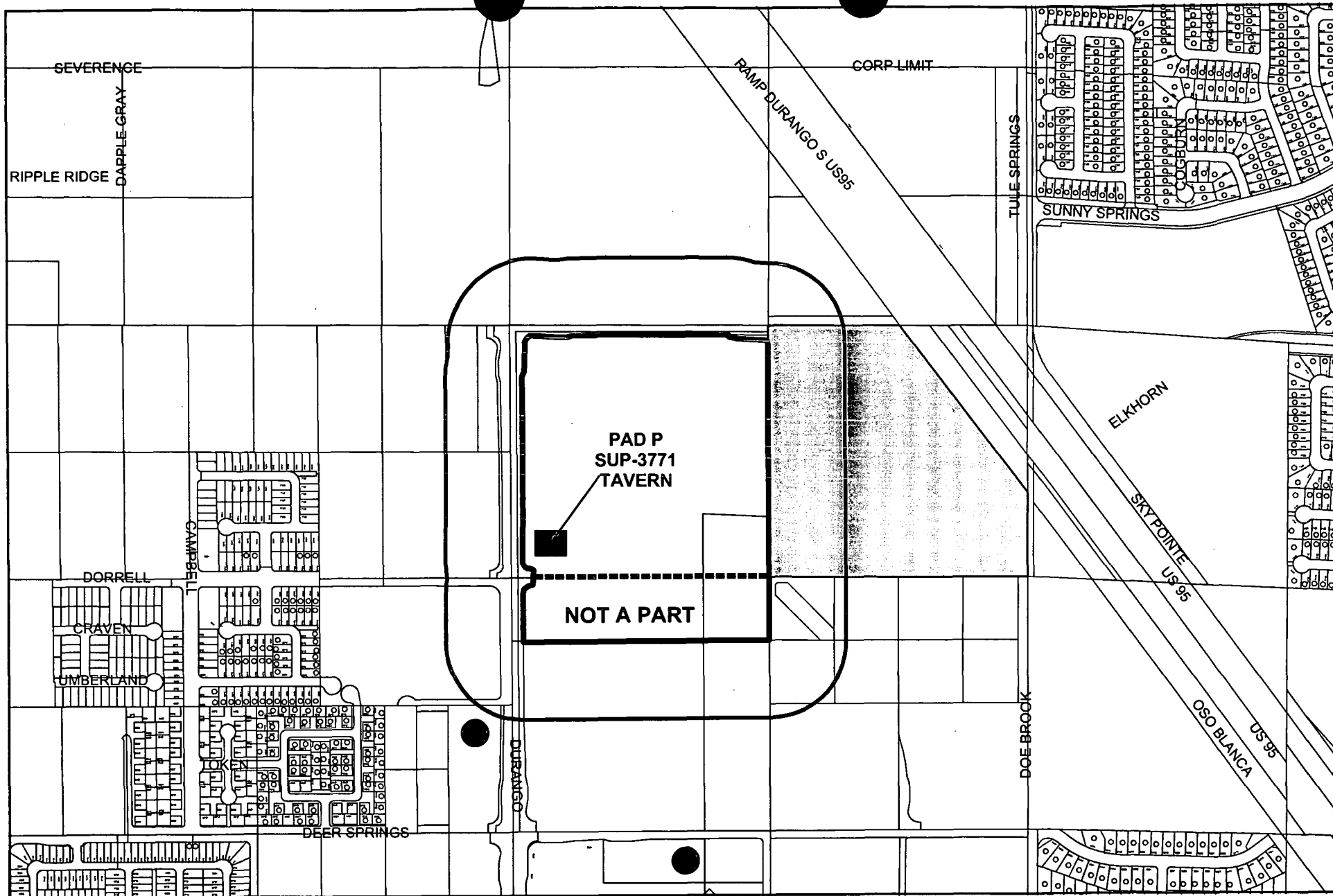
CASE: SUP-3771

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER)
AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]



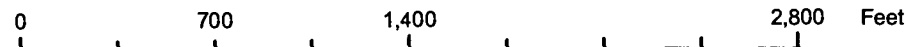
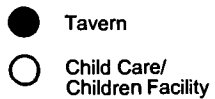


SUP-3771

Protected Landuses



Business Licenses



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3771 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Tavern use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a 6,000 square-foot Tavern on Pad P of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #27/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
 T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Tavern use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. It should be noted that the companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	60 spaces (assumes a 50:50 split) 15 spaces		60 spaces (2,470 spaces provided overall)	
Totals			75 spaces	3 spaces	60 spaces	2 spaces

The project does not appear to meet the parking requirements of the Zoning Code, for either handicap spaces or total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces, that can make up the apparent deficiency. A condition of approval of the companion overall site plan (SDR-3764) will be that a shared access and parking agreement will be registered on the title of this site, to ensure that all uses on the site will benefit from adequate parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Taverns in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 400-foot separation distance between "Pubs, Bars & Lounges (Taverns, Etc.)" and any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. "Pubs, Bars & Lounges (Taverns, Etc.)" would otherwise be allowed in the UC-TC and MS-TC special land use designations of Town Center with the approval of a Special Use Permit. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Tavern" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Tavern" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Pubs, Bars & Lounges (Taverns, Etc.)" use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Tavern use. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards require a “Pubs, Bars & Lounges (Taverns, Etc.)” use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such requirement for a “Tavern” use. In this case, this use would not meet the minimum Town Center distance separation requirements, if they were applicable, as there is a city park immediately to the east of the subject site. Given the applicability of the Development Agreement to the site, however, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Tavern use.

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.”**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Tavern use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

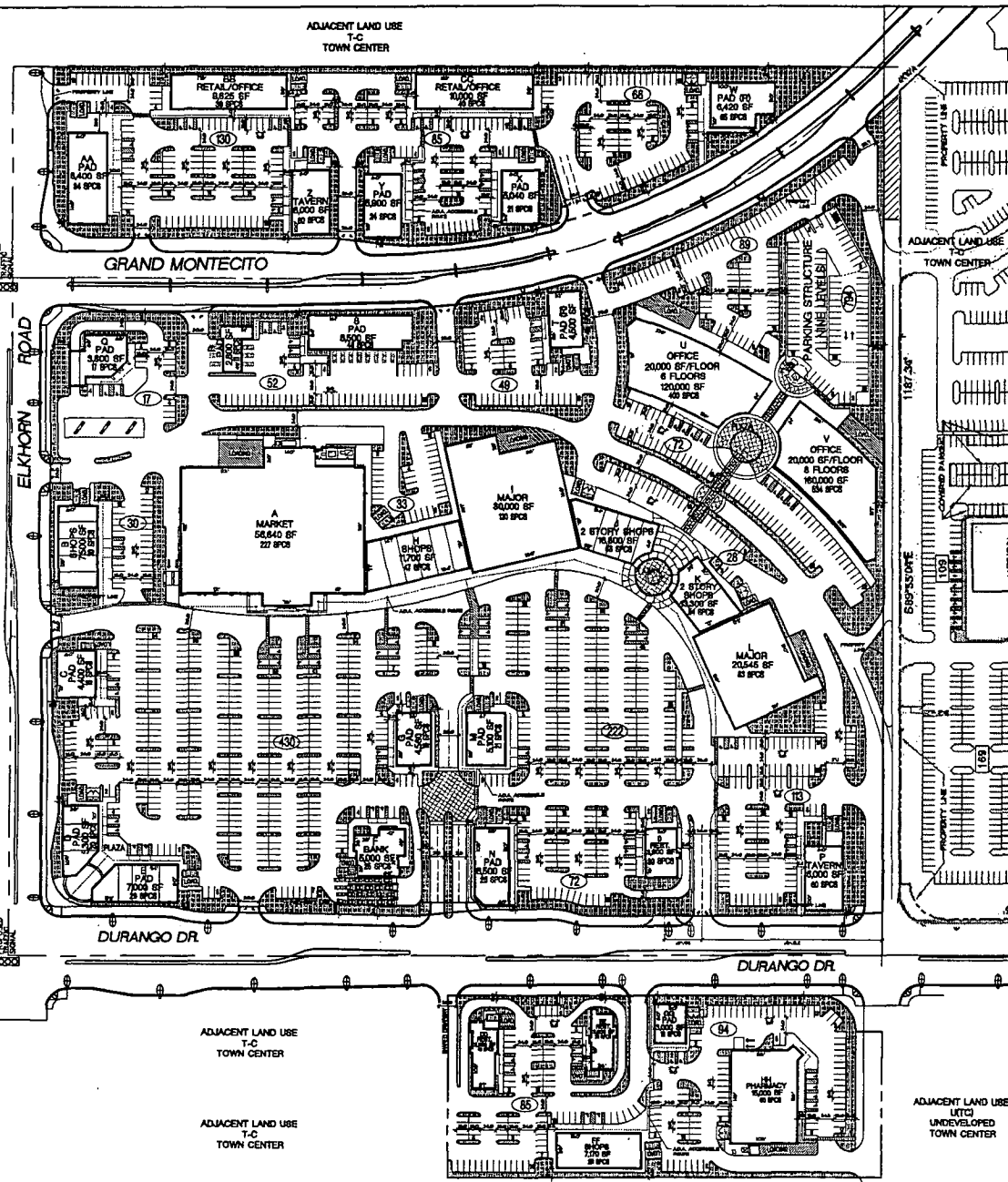
ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
UTD
UNDEVELOPED
TOWN CENTER

ADJACENT LAND USE
UTD
UNDEVELOPED
TOWN CENTER

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. EXISTING UTILITIES ARE SHOWN FOR INFORMATION ONLY. DATE: 03/11/04 BY: [Signature]



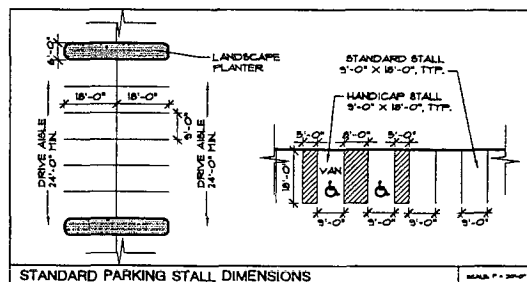
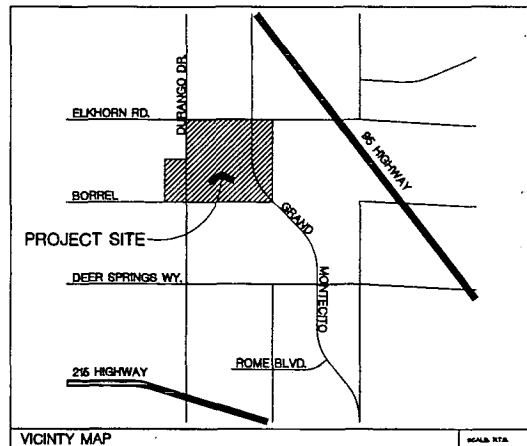
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 18/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 4.2/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (18,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (58,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (6,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



PR

3280 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89103
702-885-8200
702-885-8201 fax

www.parkandride.com

Corporate Office:
Long Beach, CA

Regional Office:
Newport Beach, CA
Portland, OR

Client Information

MONTECITO COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

Prepared by: Park & Ride
3280 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89103
702-885-8200
702-885-8201 fax

Revisions

No.	Description	Date
1	Initial Design	01/27/04
2	Revised Design	03/11/04

Date: 01/27/04
Drawn By: [Signature]
Checked By: [Signature]
Project No.: 03-43211
File Name: 03041204.dwg
Scale: 1" = 80'

Site Plan
SA-1

SUP-3771
03-11-04 PC



3380 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
702-892-8500
702-892-8506 fax
www.parkowiczruth.com

Corporate Office:
Long Beach, CA

Regional Office:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO COMPANIES

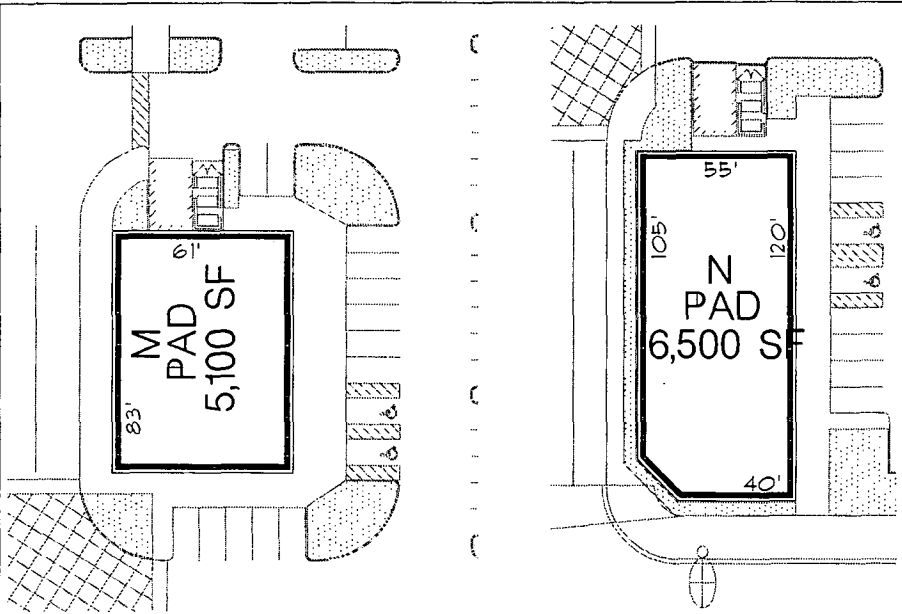
Parkowicz-Ruth Architects
SSC at Durango Ave & Elburn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/21/04
Drawn By: mk
Checked By: rk
Project No: 03-432.11
File Name: 030303.dwg
Scale: T = (As Noted)

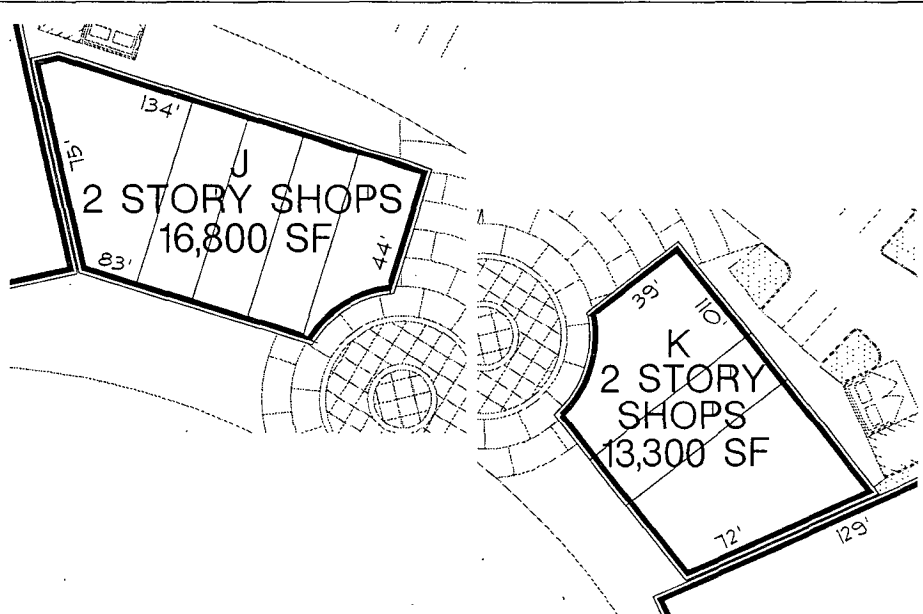


Floor Plans
FL-3



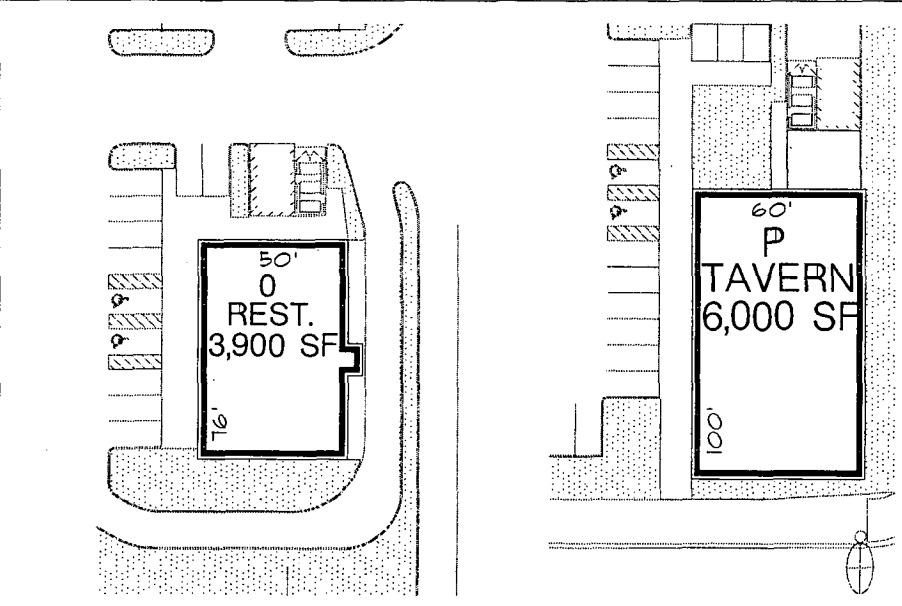
BUILDINGS "M" AND "N"

DATE: 01/21/04
SCALE: 1" = 20'-0"
M&N



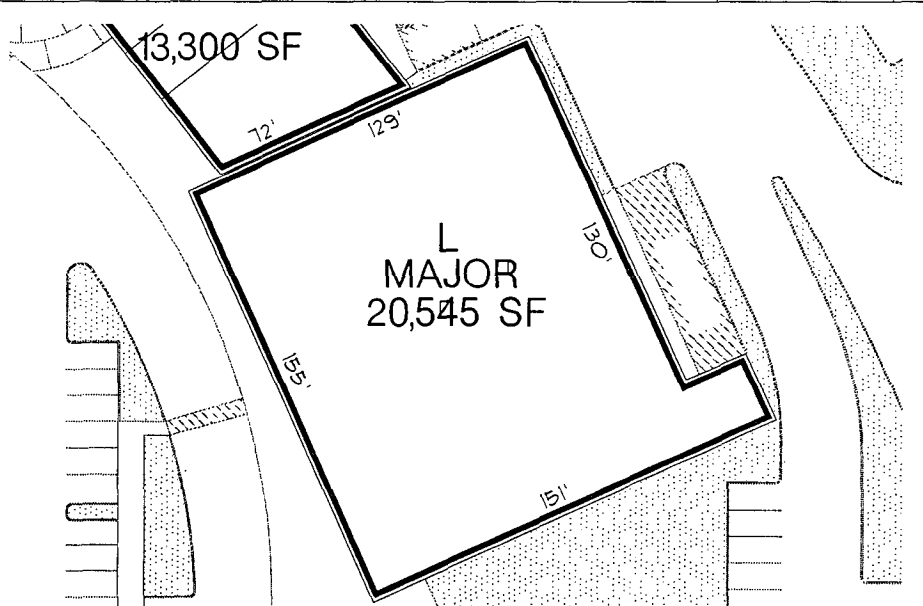
BUILDINGS "J" AND "K"

DATE: 01/21/04
SCALE: 1" = 20'-0"
J&K



BUILDINGS "O" AND "P"

DATE: 01/21/04
SCALE: 1" = 20'-0"
O&P



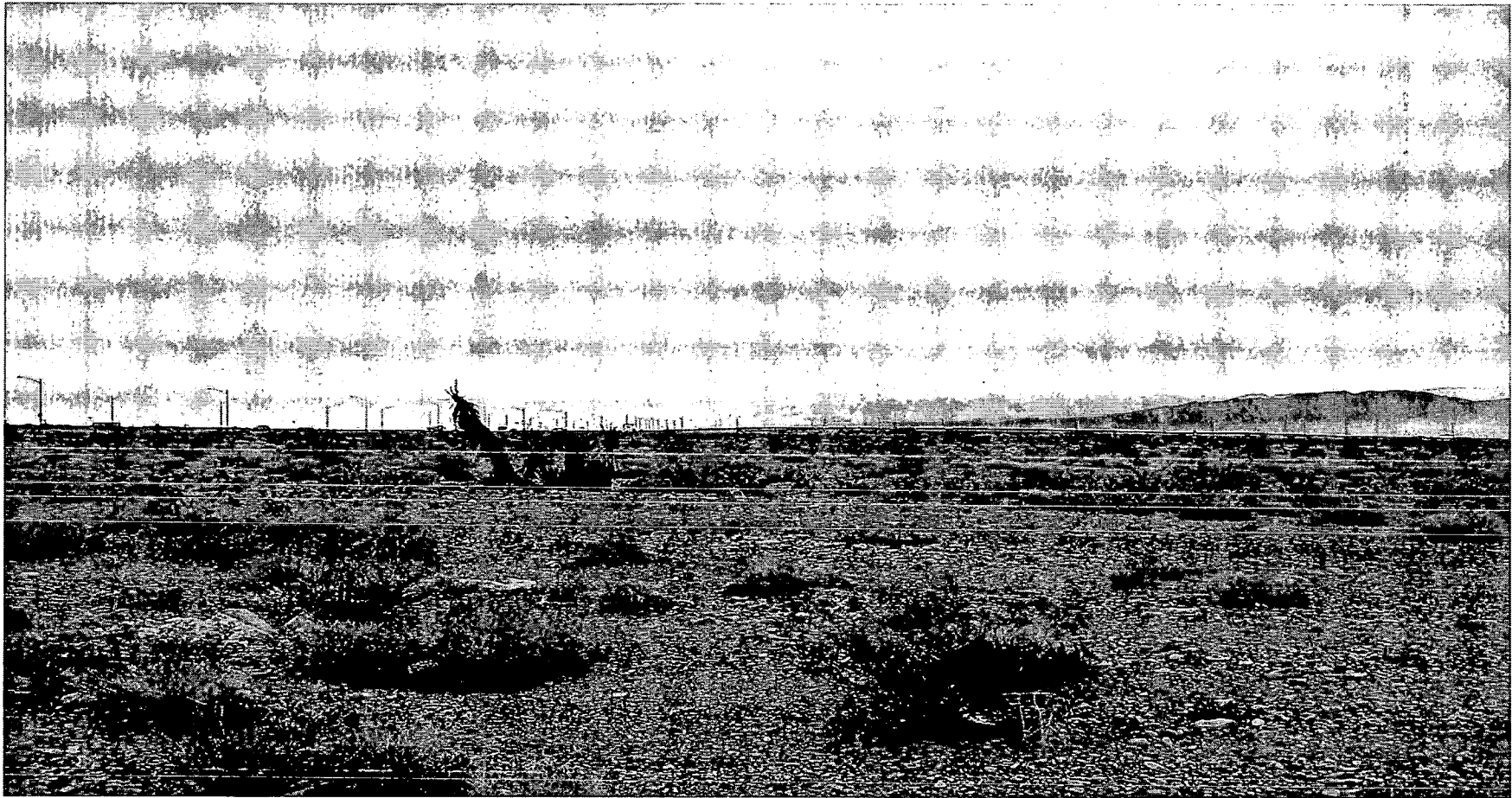
BUILDING "L"

DATE: 01/21/04
SCALE: 1" = 20'-0"
L

SUP-3771

03-11-04 PC

Working floor plan. All dimensions are approximate and subject to change. See notes on sheet 03-11-04 for details.



SUP-3771 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: APRIL 7, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

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MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

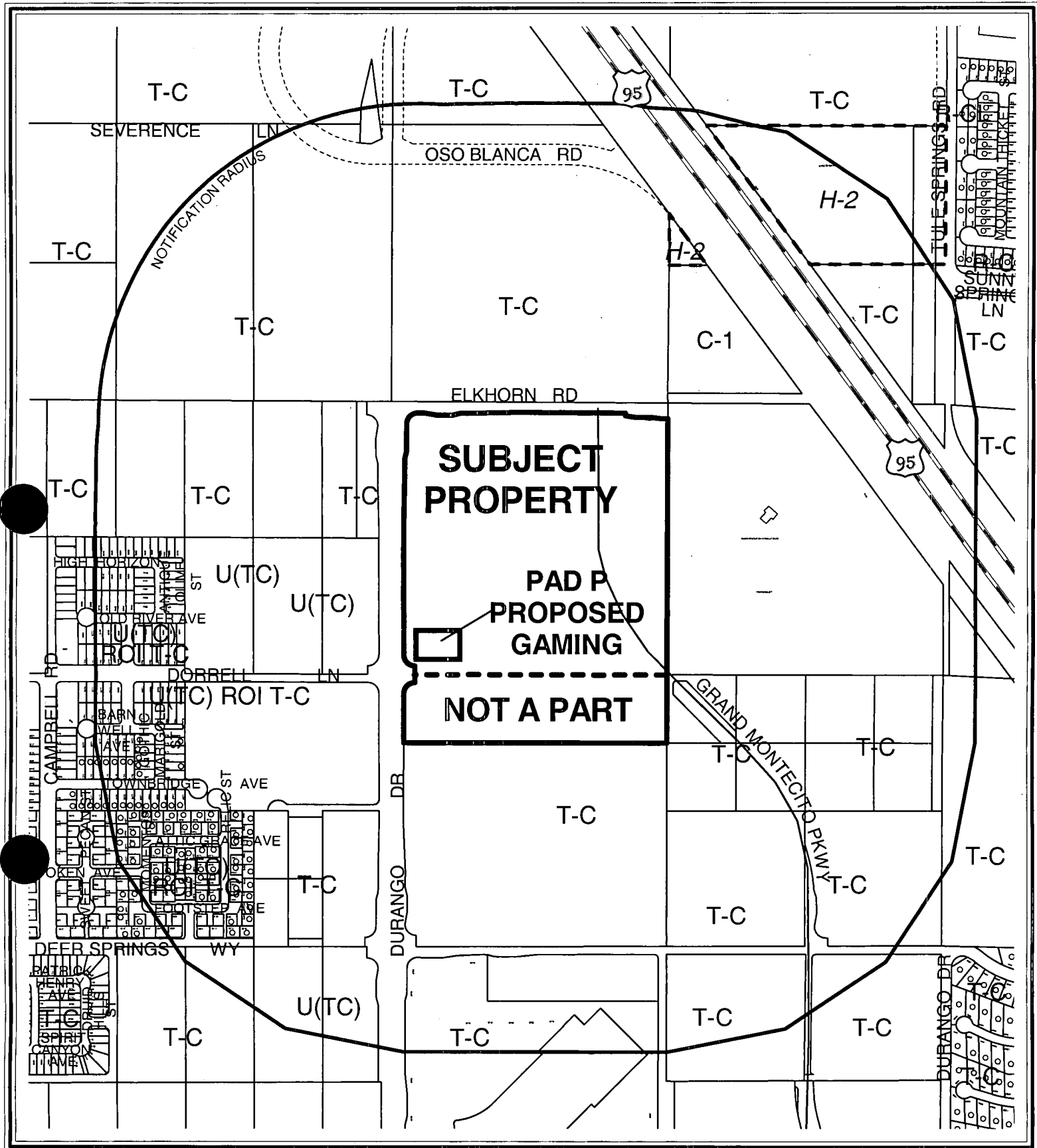
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3773

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

0 400 800 Feet



131

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3773 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad P of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 6,000 square-foot Tavern on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #28).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The

portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was

requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Tavern use on Pad P, it will not generate additional parking to that which would be required for the Tavern use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	60 spaces (assumes a 50:50 split) 15 spaces		60 spaces (2,470 spaces provided overall)	
Totals			75 spaces	3 spaces	60 spaces	2 spaces

The project does not appear to meet the parking requirements of the Zoning Code, for either handicap spaces or total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces, that can make up the apparent deficiency. A condition of approval of the companion overall site plan (SDR-3764) will be that a shared access and parking agreement will be registered on the title of this site, to ensure that all uses on the site will benefit from adequate parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gaming (Incidental)" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Grocery Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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."**

Although the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such requirement for a "Gaming (Incidental)" use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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."

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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."

The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

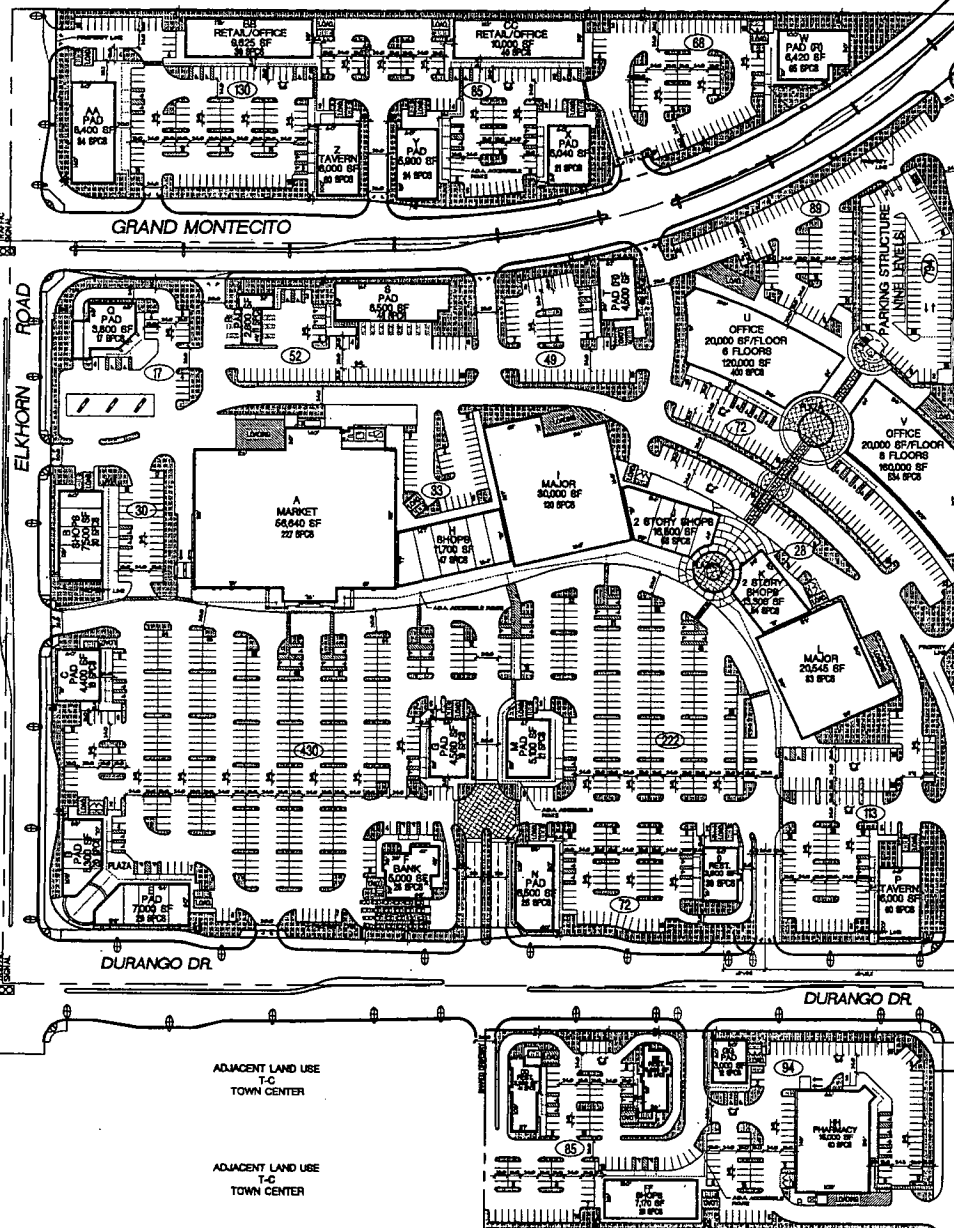
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T-C
TOWN CENTER



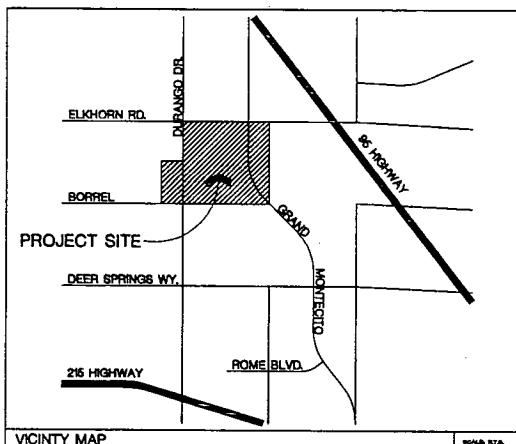
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
 LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
 BUILDING AREA • 587,750 SF
 LAND/BUILDING RATIO • 18/1 35.6%
 PARKING REQUIRED • 2,392 STALLS
 PARKING PROVIDED • 2,470 STALLS
 PARKING RATIO • 4.2/1000
 PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
 RESTAURANT (34,570 SF) • 1 STALL/100 SF = 344 STALLS
 MARKET (58,840 SF) • 1 STALL/250 SF = 227 STALLS
 PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
 OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
 CONVENIENCE STORE W/ SELF-SERVE CARWASH (3,800 SF)
 • 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
 AUTO REPAIR (8,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
 AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
 BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

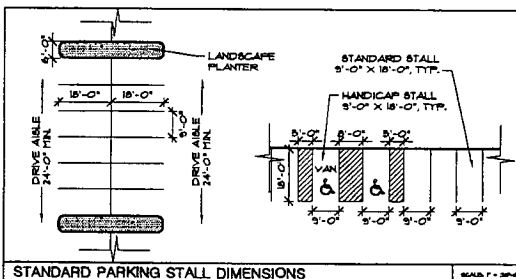
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
 OPEN SPACE/LAND RATIO • 28/1 26.7% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • 242,880 SF
 LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS



3200 Howard Hagan Pkwy
 Suite 450
 Las Vegas, NV 89169
 702-862-6920
 702-862-6534 fax

www.pandp.com

Corporate Office
 Long Beach, CA

Regional Office
 Newport Beach, CA
 Portland, OR

Client Information

MONTECITO
 COMPANIES

Perkowitz-Roth
 ARCHITECTS
 5504 Durango Drive • Elkhorn Road
MONTECITO MARKETPLACE
 Las Vegas, NV

Revisions

Date: 01/27/04
 Drawn By: ctk
 Checked By: ml
 Project No.: 03-4321
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 Scale: 1" = 80'

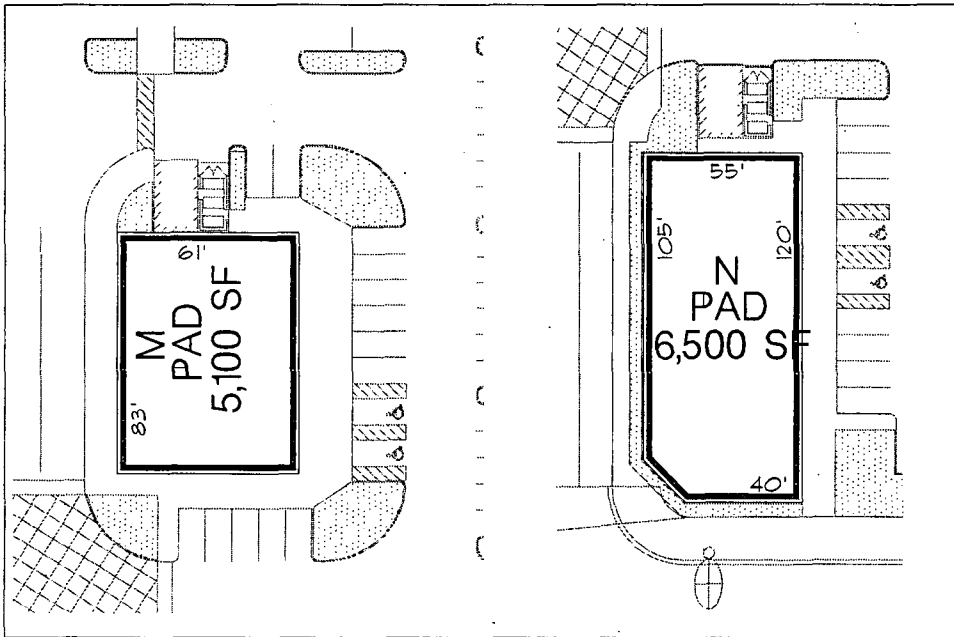
North Arrow
 0 40 80 100

Site Plan
 SA-1

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. EXCEPT AS NOTED OTHERWISE.

SUP-3773

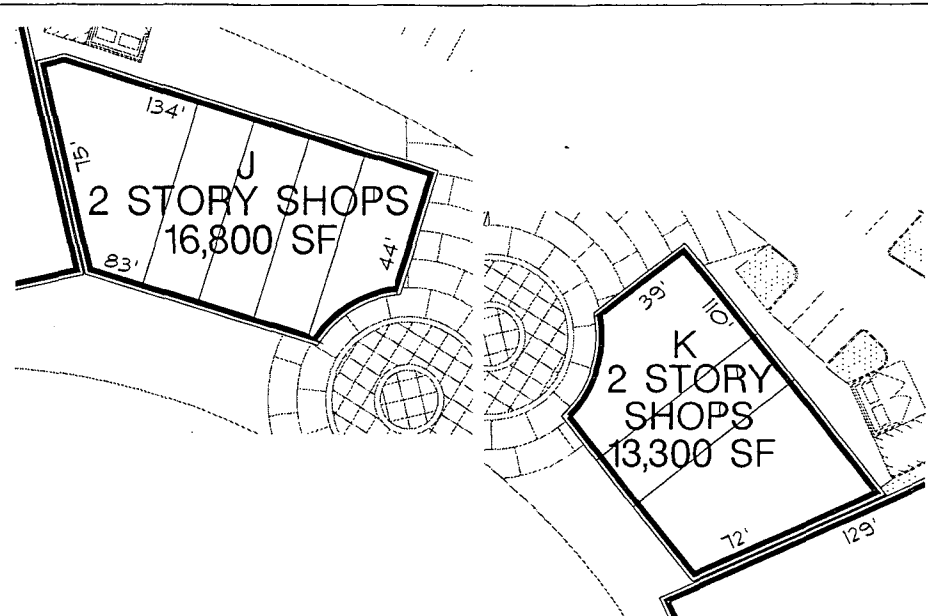
03-11-04 PC



BUILDINGS "M" AND "N"

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SCALE: 1" = 30'-0"

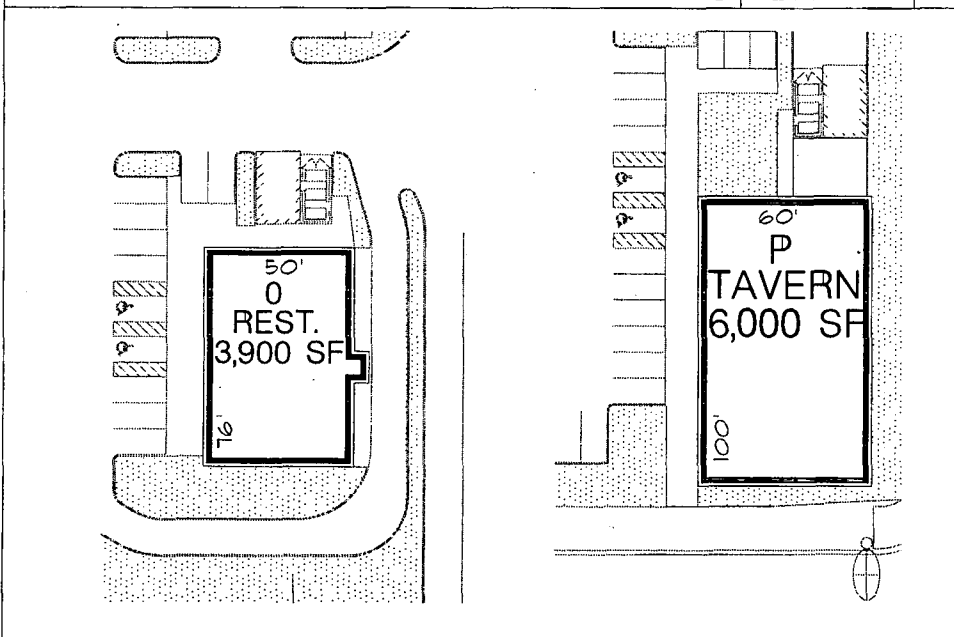
M&N



BUILDINGS "J" AND "K"

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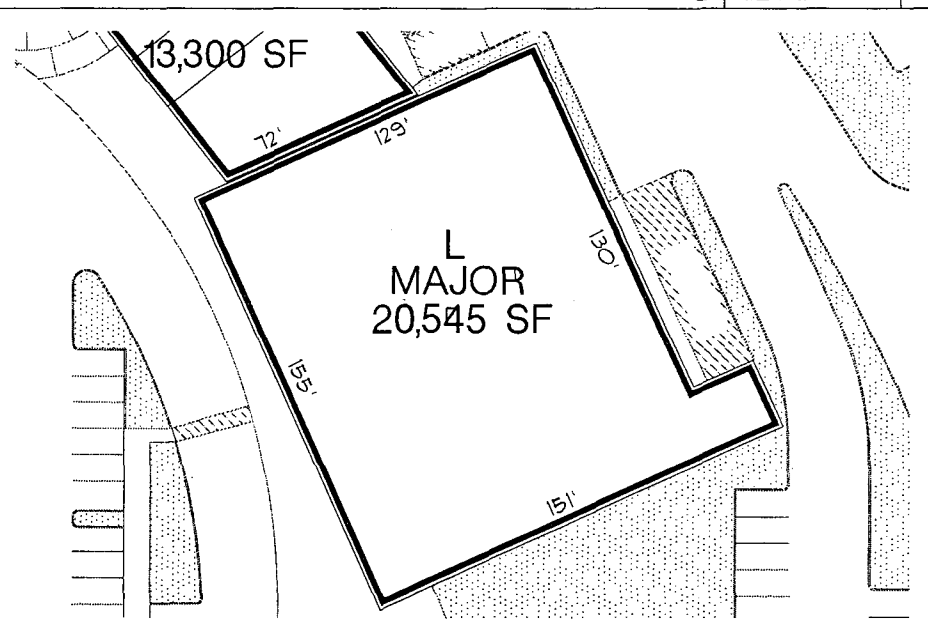
J&K



BUILDINGS "O" AND "P"

DATE: 01/21/04
SCALE: 1" = 30'-0"

O&P



BUILDING "L"

DATE: 01/21/04
SCALE: 1" = 30'-0"

L



3980 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
702-892-8500
702-892-8518 fax

www.pandrac.com

Corporate Office
Long Beach, CA

Regional Office
Newport Beach, CA
Westminster, NC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz-Ruth
ARCHITECTS

5200 S. Durango Blvd., Suite 200
Las Vegas, NV 89149

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

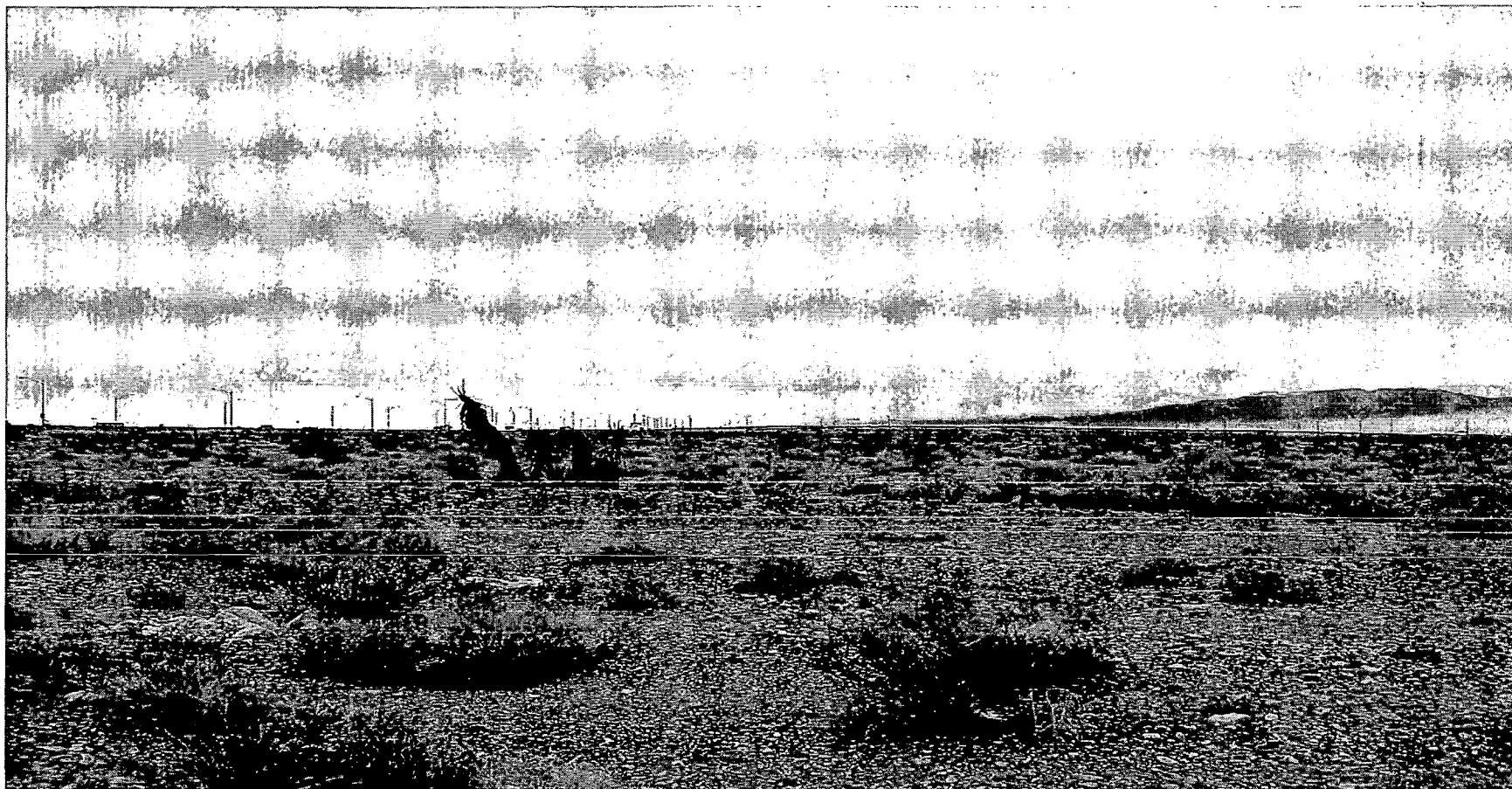
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Checked By: mtk
Project No.: 03-11-04
File Name: 03063203.dwg
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Scale: 1" = 30'-0"
Orientation: as noted
SCALE: 2X

Floor Plans
FL-3

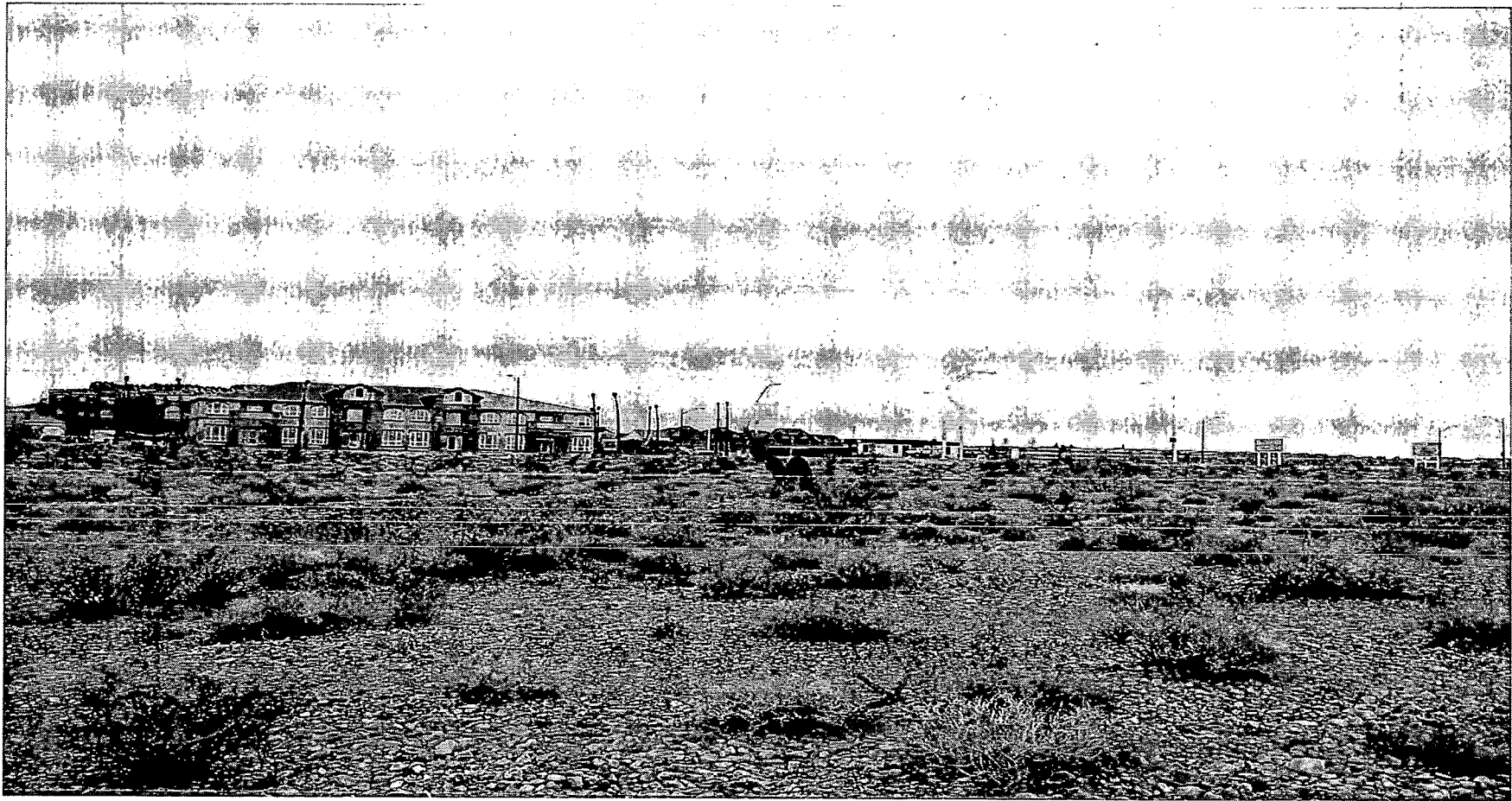
SUP-3773

03-11-04 PC



SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3773 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771 AND SUP-3773 - PUBLIC HEARING - **SUP-3774** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR GASOLINE SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 132 – SUP-3774

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

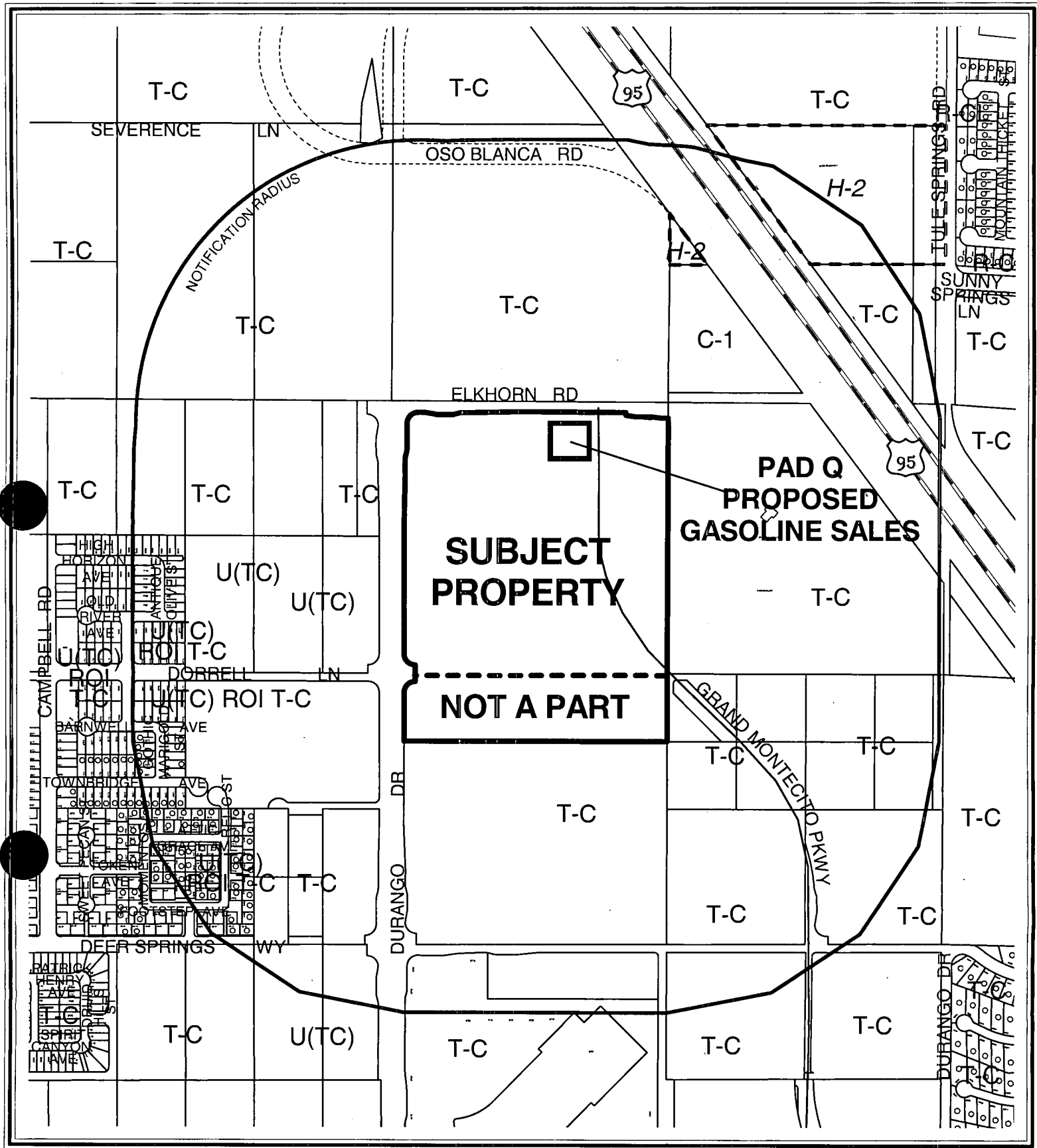
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3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gasoline Sales use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3774

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

0 400 800 Feet



132



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3774 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gasoline Sales use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
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4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gasoline Sales use on Pad Q of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be part of a 3,800 square-foot Convenience Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
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- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #29/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
 T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gasoline Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gasoline Sales use. Since the proposed Gasoline Sales use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gasoline Sales uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system. The Montecito Marketplace project, if fully approved as requested, will contain one Gasoline Sales use on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gasoline Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gasoline Sales" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a 330-foot separation distance between "Convenience Stores with Fuel Pumps" uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gasoline Sales use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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."**

Although the Town Center Development Standards require a 330-foot separation distance between “Convenience Stores with Fuel Pumps” uses and any single-family detached dwelling, and prohibit the use of any outside public address or bell system, the Montecito Development Agreement has no such requirement for a “Gasoline Sales” use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gasoline Sales use.

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.”**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Gasoline Sales use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

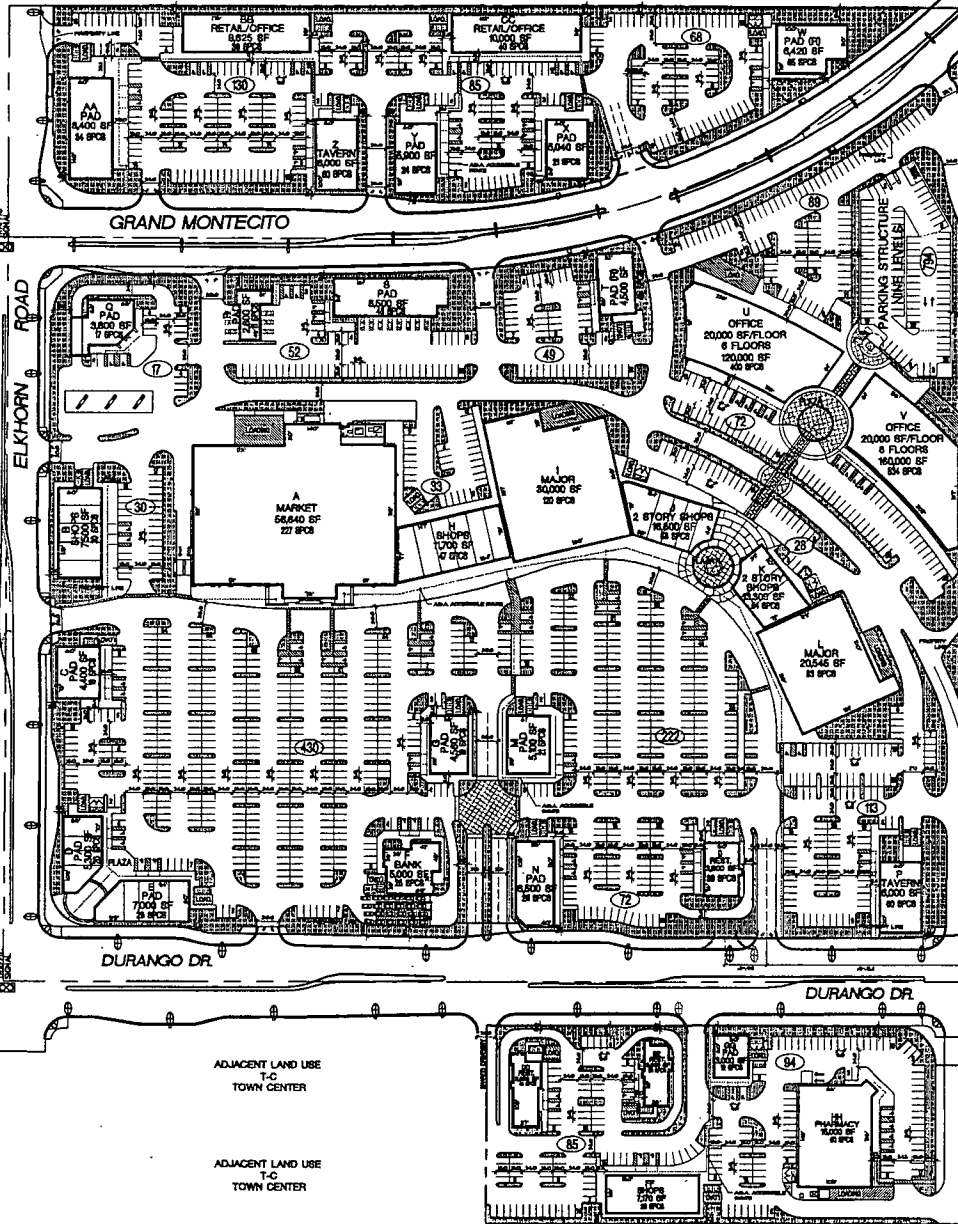
ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
UTIC
UNDEVELOPED
TOWN CENTER

ADJACENT LAND USE
UTIC
UNDEVELOPED
TOWN CENTER



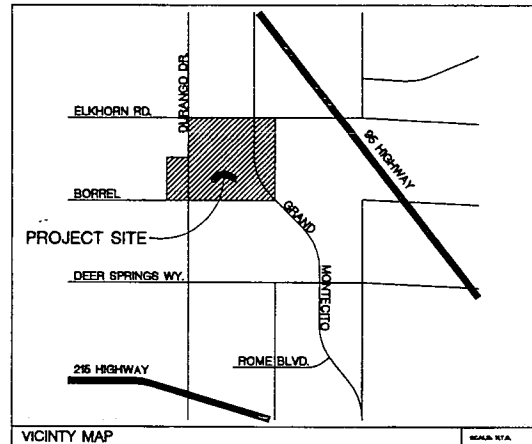
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 567,750 SF
LAND/BUILDING RATIO • 18/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 4.2/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,870 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (56,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 7 STALLS
AUTO REPAIR (8,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

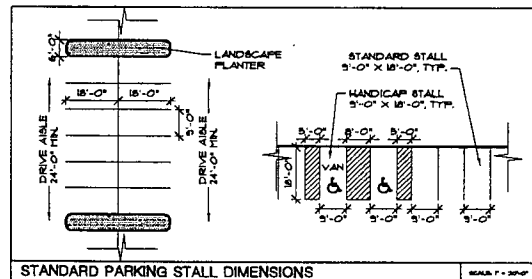
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 28/1 26.7% (INCL LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3800 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89103
702-462-4500
702-462-4504 fax

www.parkwright.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Portland, OR

Client Information

MONTECITO
MARKETPLACE
COMPANIES

Parkwright - Ruth
ARCHITECTS
5521 of Durango Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/27/04
Drawn By: mh
Checked By: mh
Project No: 03-43221
File Name: 03043221.dwg
Scale: 1" = 80'

North Arrow
0 40 80 120

Site Plan
SA-1

THIS PLAN HAS BEEN PREPARED WITHOUT REGARD OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
Survey Name: 03-11-04 PC
Scale: 1" = 80'

SUP-3774
03-11-04 PC



3960 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-452-8500
702-452-8594 fax

www.parkcityrealty.com

Corporate Office
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

MONTECITO MARKETPLACE
Las Vegas, NV

Parkowitz & Roth
ARCHITECTS

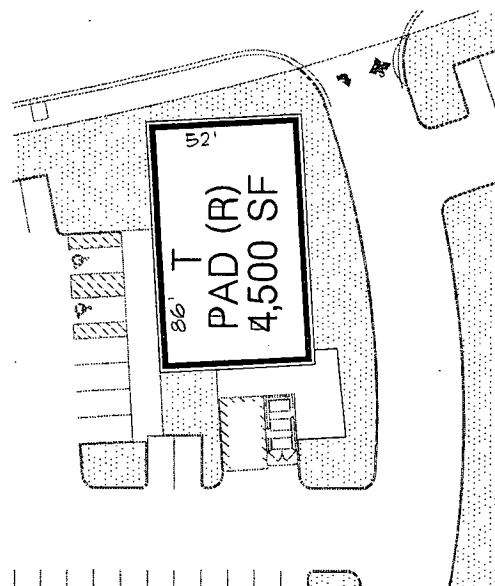
5500 S. Durango Ave. • Elkhorn Road
Las Vegas, NV 89119

Revisions

Date: 01/27/04
Drawn By: mk
Checked By: rj
Project No: 03-432.11
File Name: 00043201.dwg
Scale: 1" = 30'-0"

N
Scale and Orientation as Noted
0 1 2
SCALE

Floor Plans
FL-4

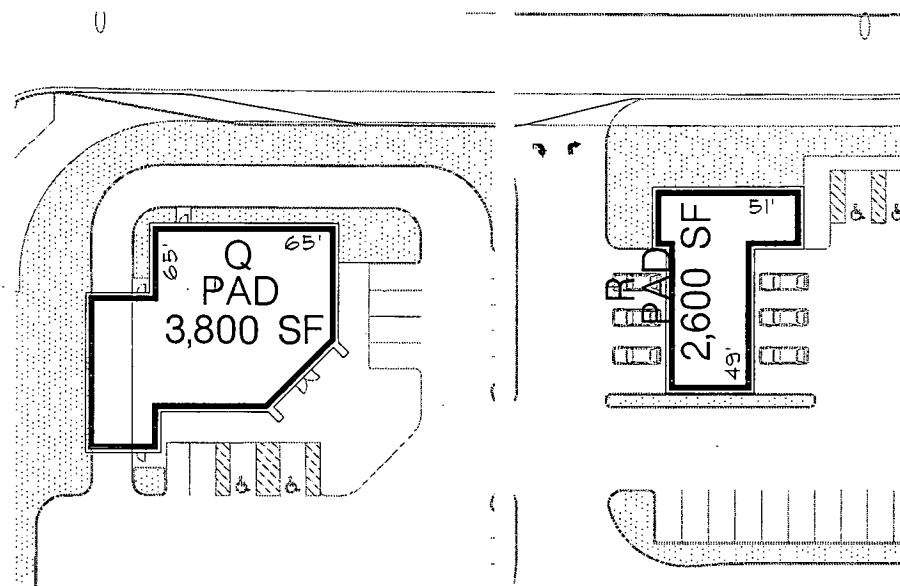


BUILDING "T"



DATE: 01/27/04
SCALE: 1" = 30'-0"

T

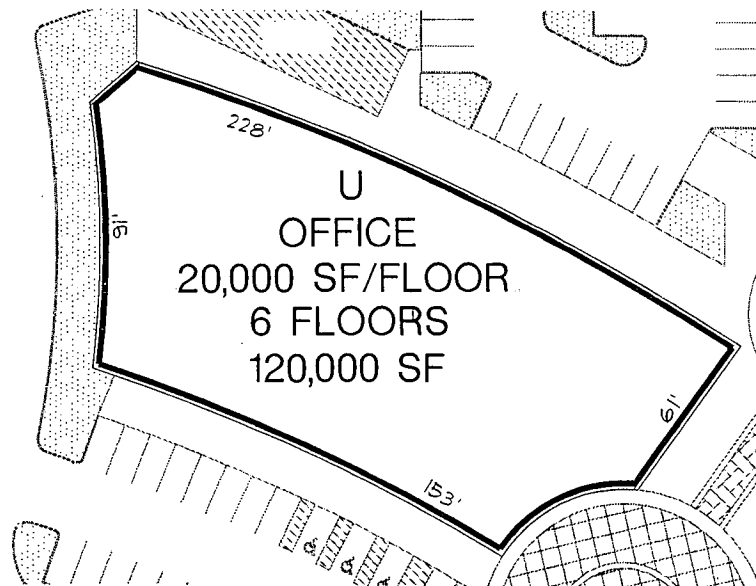


BUILDINGS "Q" AND "R"



DATE: 01/27/04
SCALE: 1" = 30'-0"

Q&R

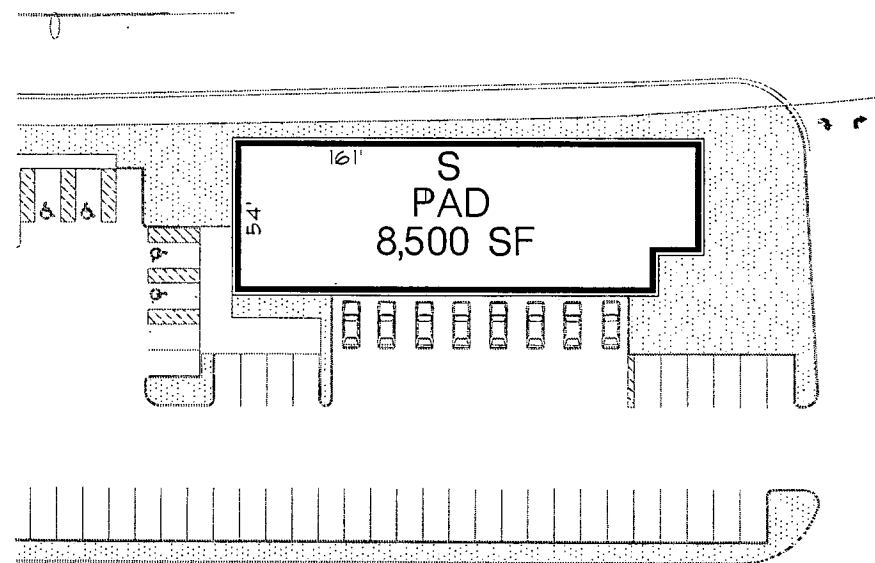


BUILDING "U"



DATE: 01/27/04
SCALE: 1" = 30'-0"

U



BUILDING "S"

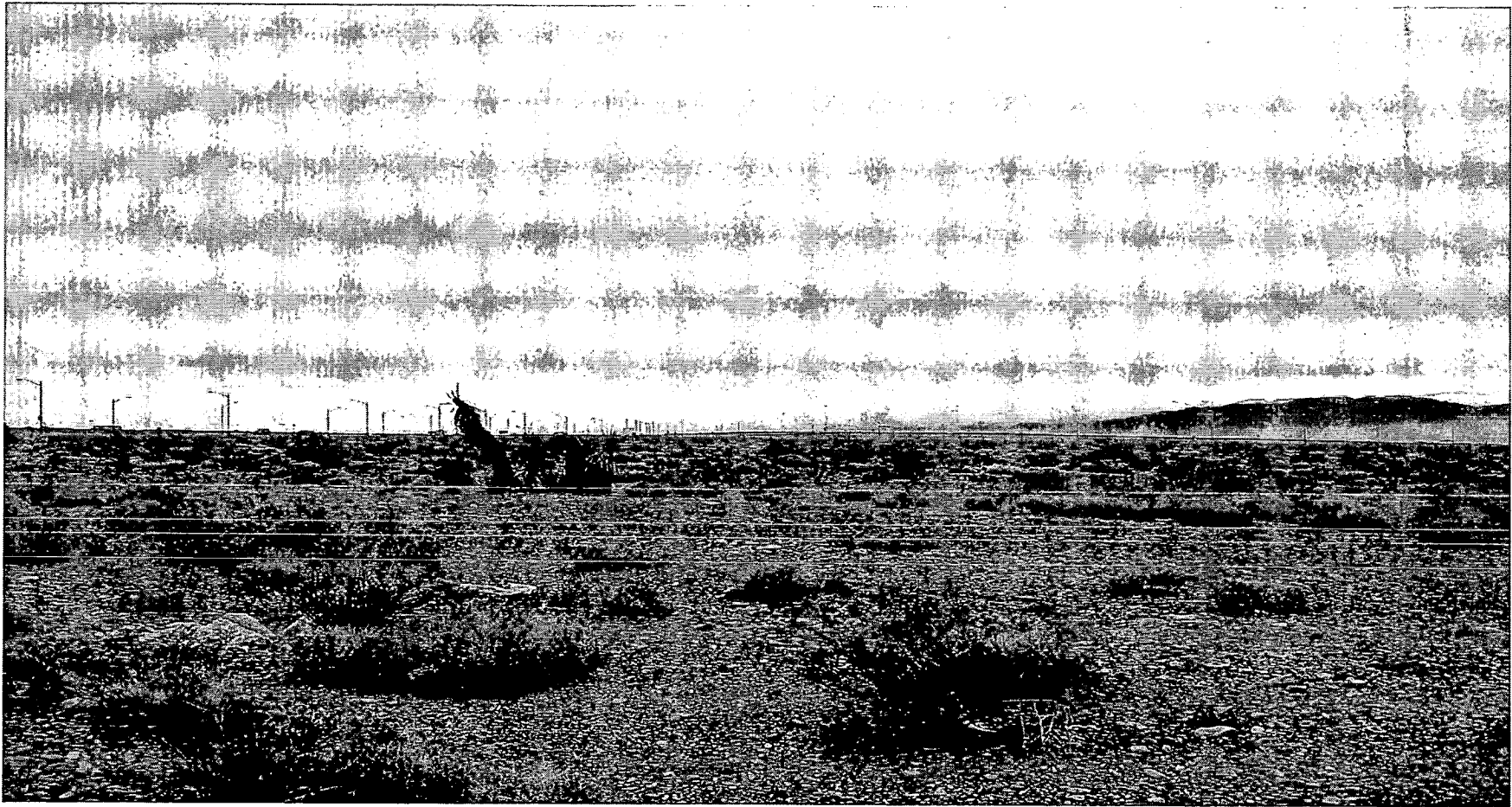


DATE: 01/27/04
SCALE: 1" = 30'-0"

S

SUP-3774

03-11-04 PC

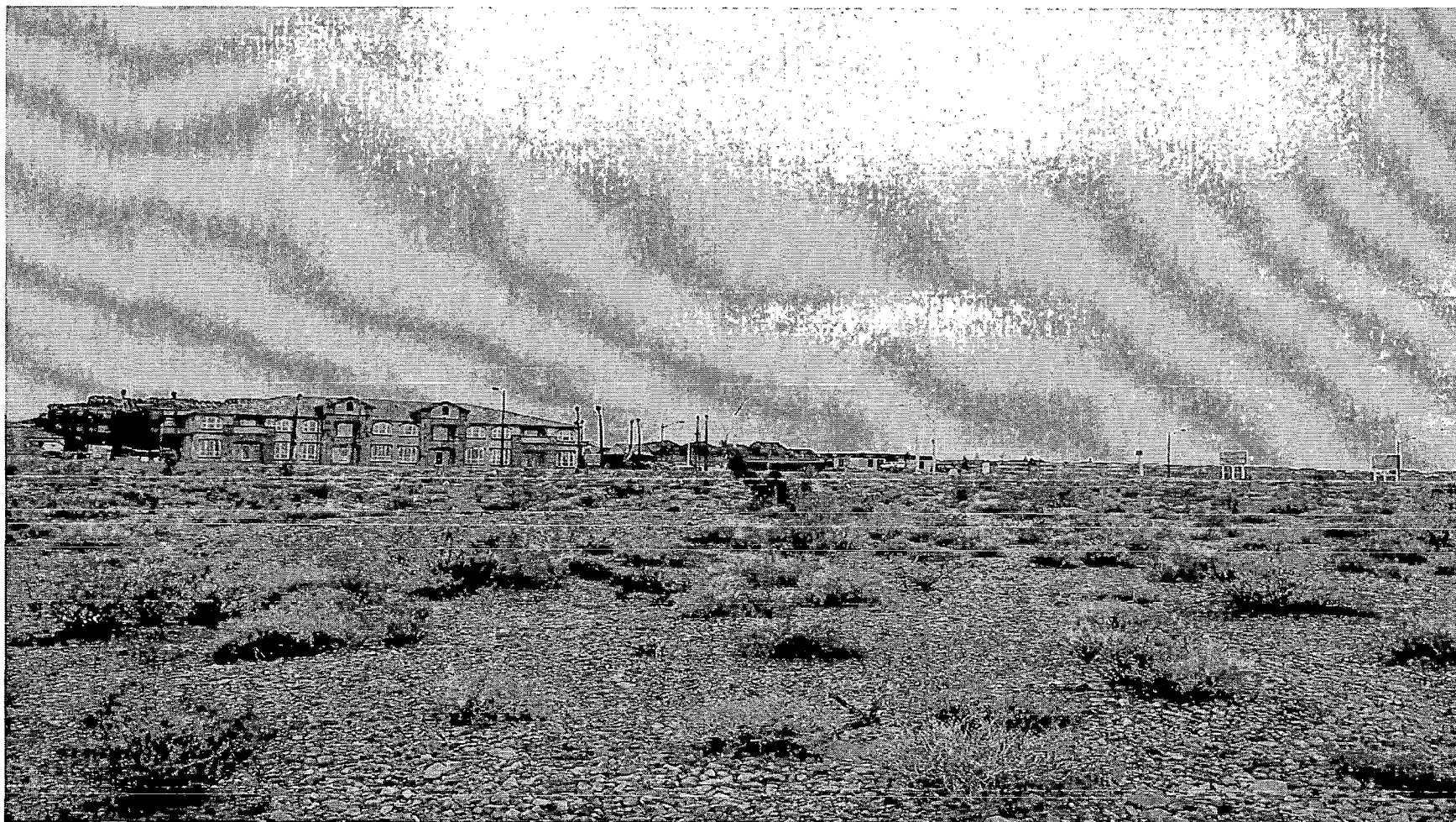


SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3774 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773 AND SUP-3774 - PUBLIC HEARING - **SUP-3776** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR A CAR WASH on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 133 – SUP-3776

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

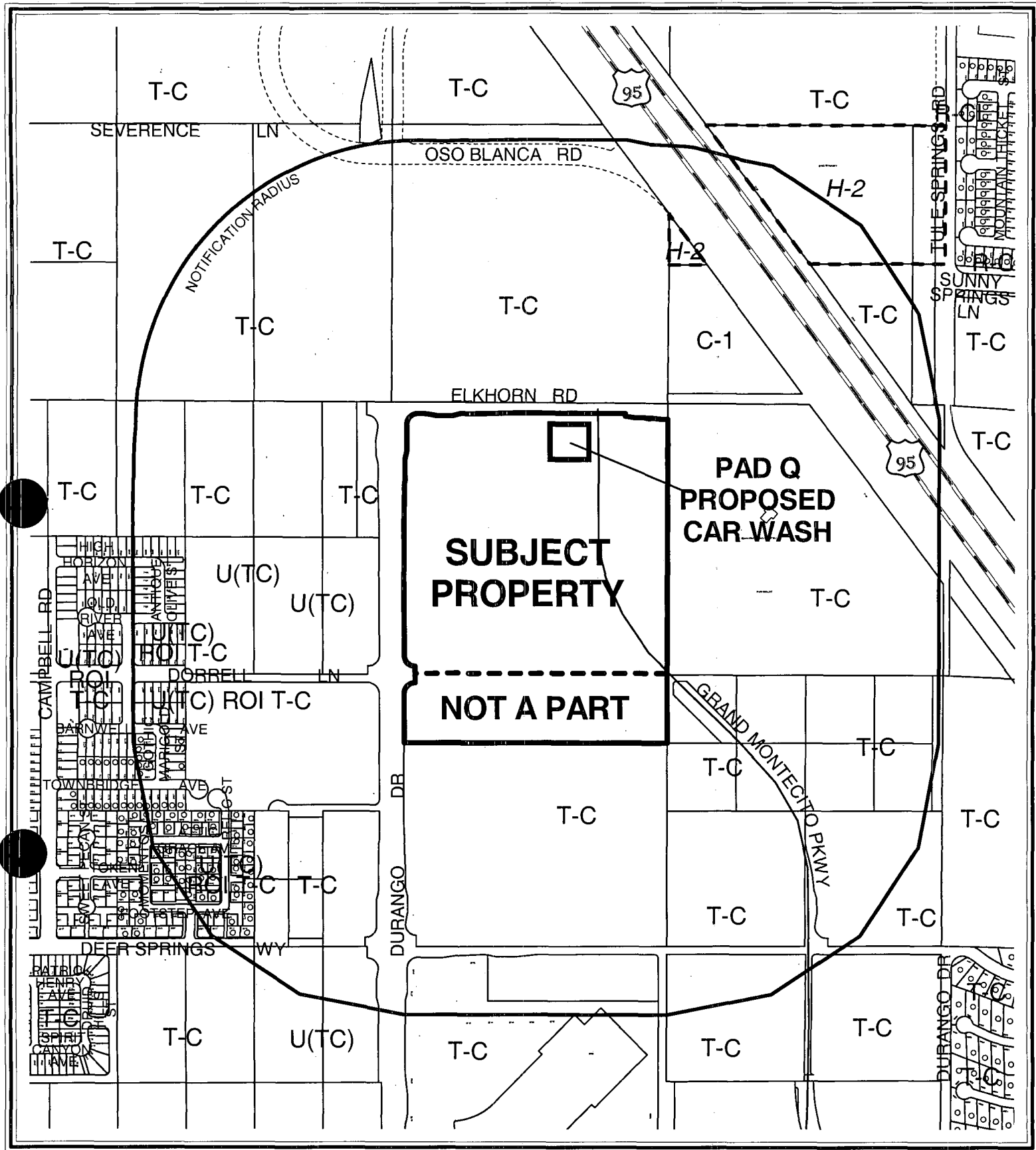
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Car Wash use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3776

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

133



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3776 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Car Wash use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Car Wash use on Pad Q of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be part of a 3,800 square-foot Convenience Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #30/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Car Wash" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Car Wash use. Since the proposed Car Wash use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Car Wash uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that requires "Car Washes (Automatic)" to be reviewed and conditioned on a case-by-case basis. The Montecito Marketplace project, if fully approved as requested, will contain one Car Wash use on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Car Wash" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Car Wash" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require "Car Washes (Automatic)" uses to be reviewed and conditioned on a case-by-case basis, no such requirement exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Car Wash use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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."**

Although the Town Center Development Standards require “Car Washes (Automatic)” to be reviewed and conditioned on a case-by-case basis, the Montecito Development Agreement has no such requirement for a “Car Wash” use. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Car Wash use.

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.”**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Car Wash use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

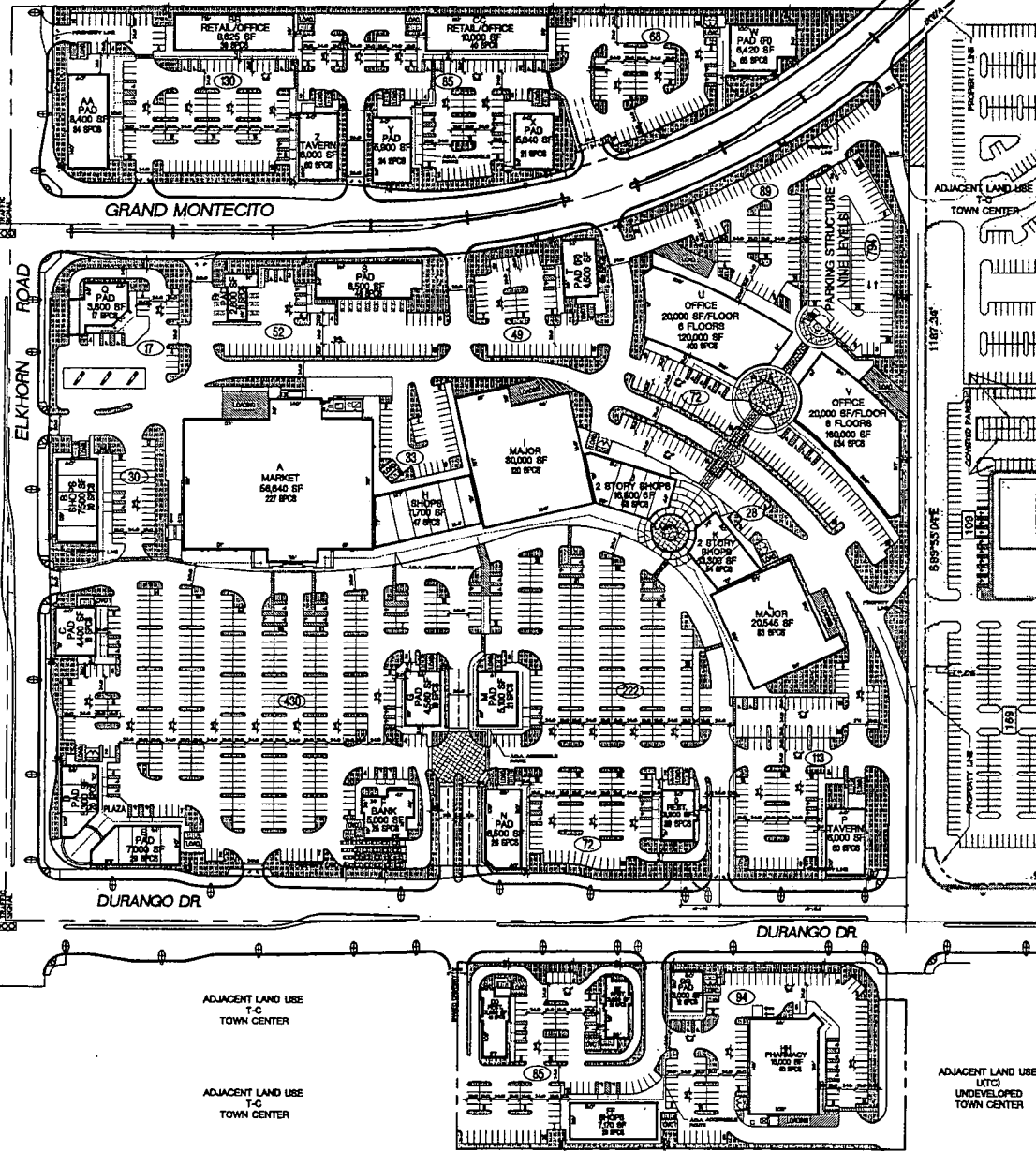
NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
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ADJACENT LAND USE
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ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
(UTC)
UNDEVELOPED
TOWN CENTER

ADJACENT LAND USE
(UTC)
UNDEVELOPED
TOWN CENTER

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUP-3776
03-11-04 PC

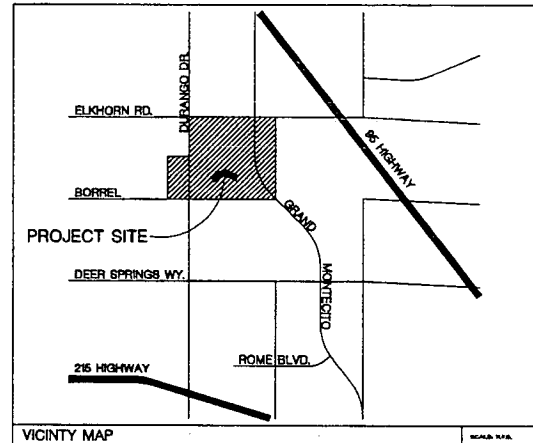
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
 LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
 BUILDING AREA • 587,750 SF
 LAND/BUILDING RATIO • 1.8/1 35.6%
 PARKING REQUIRED • 2,392 STALLS
 PARKING PROVIDED • 2,470 STALLS
 PARKING RATIO • 42/1000
 PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
 RESTAURANT (34,370 SF) • 1 STALL/100 SF = 344 STALLS
 MARKET (58,840 SF) • 1 STALL/250 SF = 235 STALLS
 PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
 OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
 CONVENIENCE STORE W/ SELF SERVE CARWASH (3,000 SF)
 • 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
 AUTO REPAIR (6,500 SF) • 1 STALL/200 SF = 33 STALLS
 AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
 BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

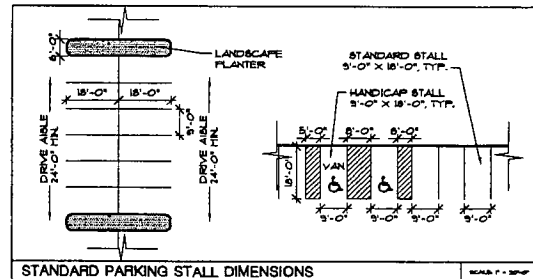
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
 OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • 242,680 SF
 LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3880 Howard Hughes Pkwy
 Suite 400
 Las Vegas, NV 89169
 702-952-6500
 702-952-6501 fax

www.parkitect.com

Corporate Office

Long Beach, CA

Regional Office

Westport Beach, CA

Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz-Ruth
ARCHITECTS
655 of Durango Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/27/04
 Drawn By: mk
 Checked By: mk
 Project No: 03-0231
 File Name: D:\03-0231\04\04.mxd
 Scale: 1" = 50'

N
 0 40 80 120

Site Plan
SA-1



2000 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-852-8500
702-852-8510 fax
www.prchitects.com
Corporate Office
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

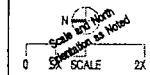
Client Information

MONTECITO
COMPANIES

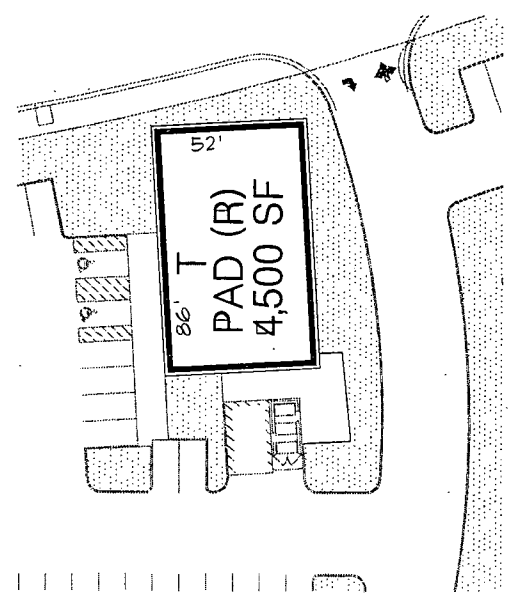
Perkowitz-Roth
ARCHITECTS
550 S Durango Ave - Glendale
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/27/04
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Checked By: ml
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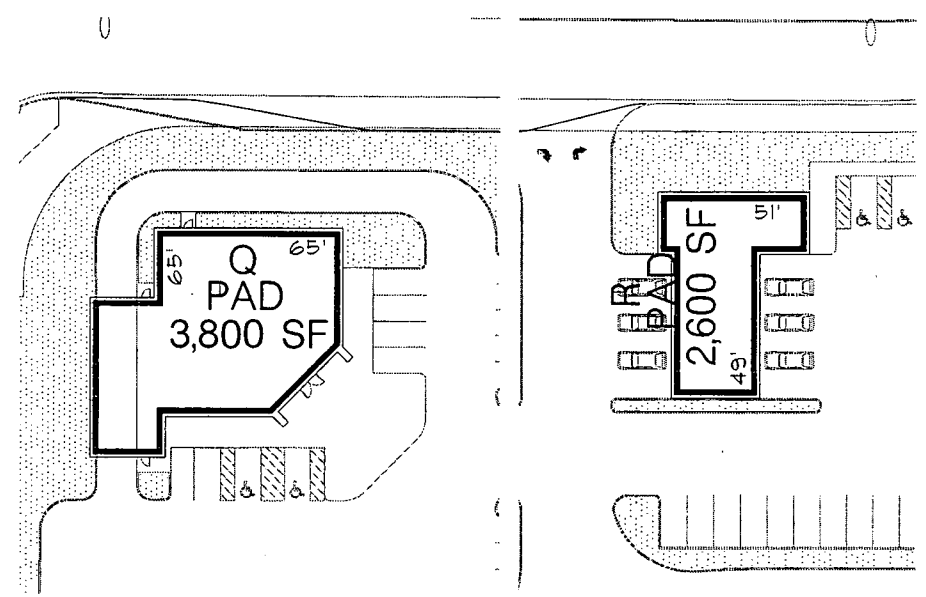


Floor Plans
FL-4



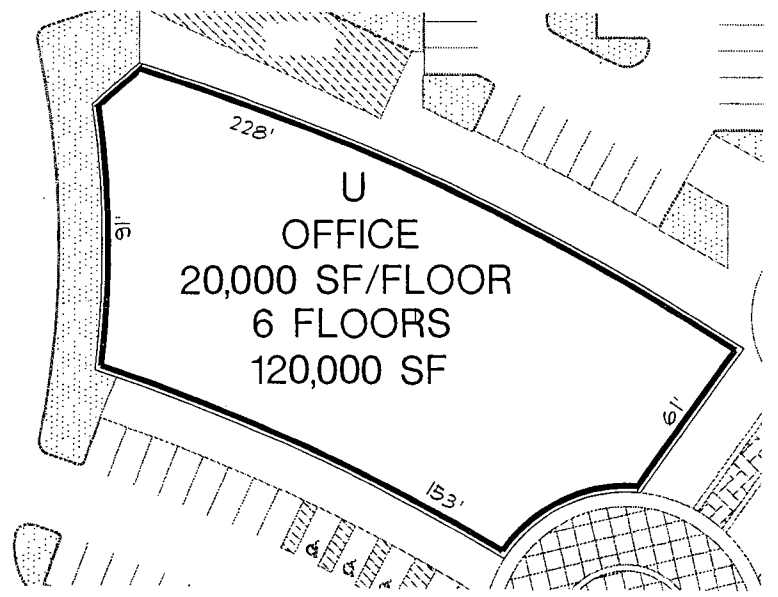
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SCALE: 1" = 20'-0"
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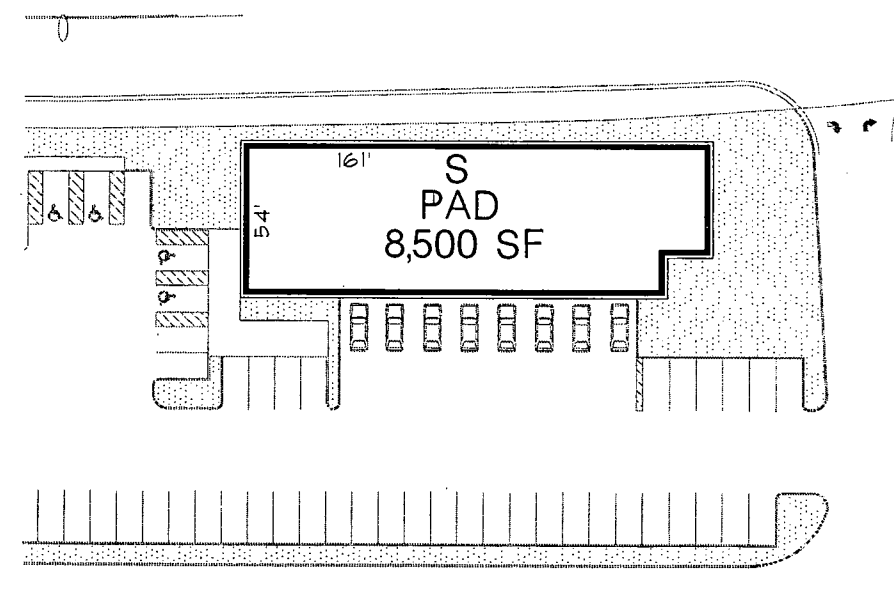
BUILDINGS "Q" AND "R"

DATE: 01/21/04
SCALE: 1" = 20'-0"
Q&R



BUILDING "U"

DATE: 01/21/04
SCALE: 1" = 20'-0"
U

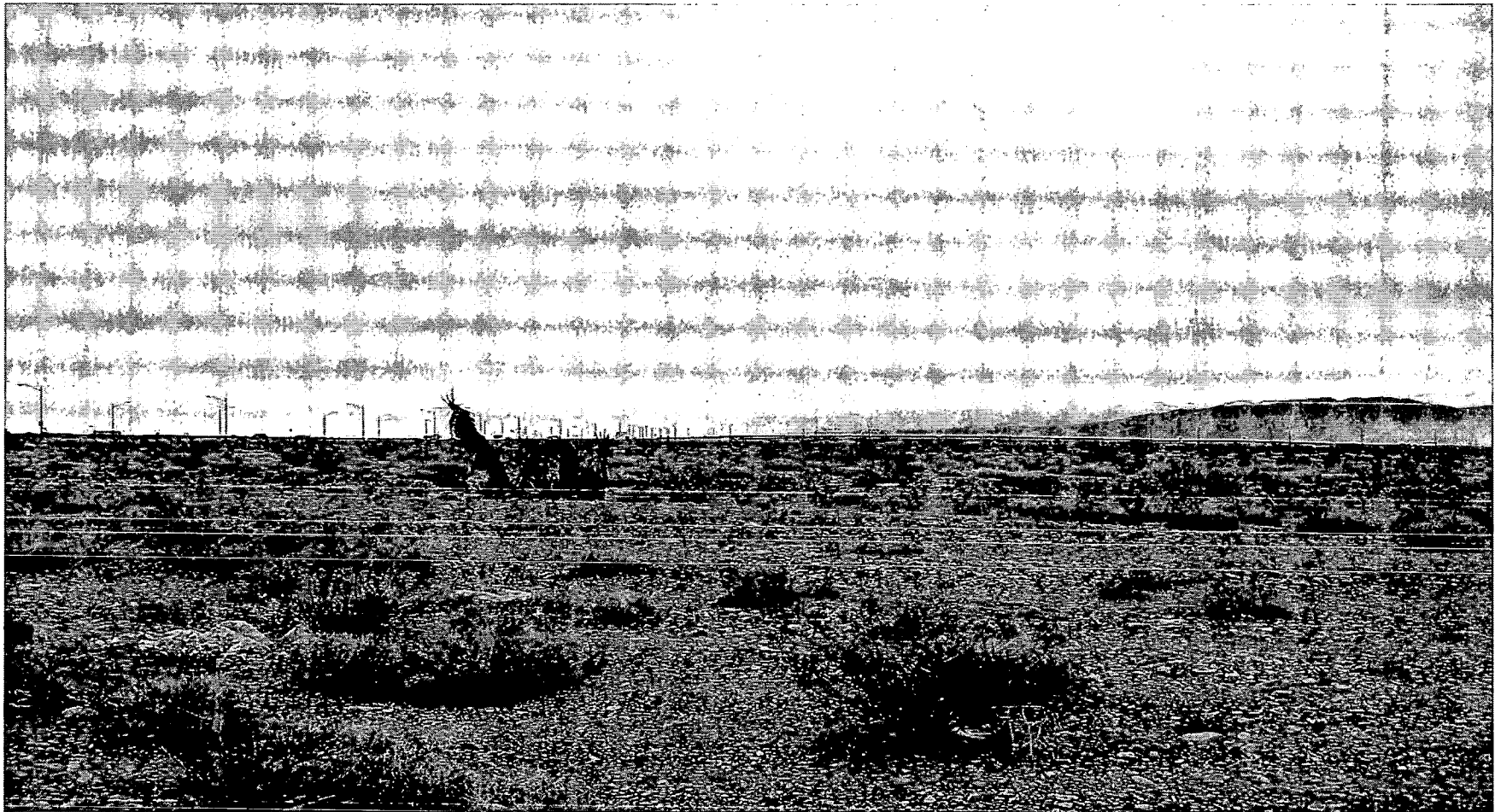


BUILDING "S"

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S

SUP-3776

03-11-04 PC



SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.
ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3776 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774 AND SUP-3776 - PUBLIC HEARING - SUP-3777 - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 134 – SUP-3777

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

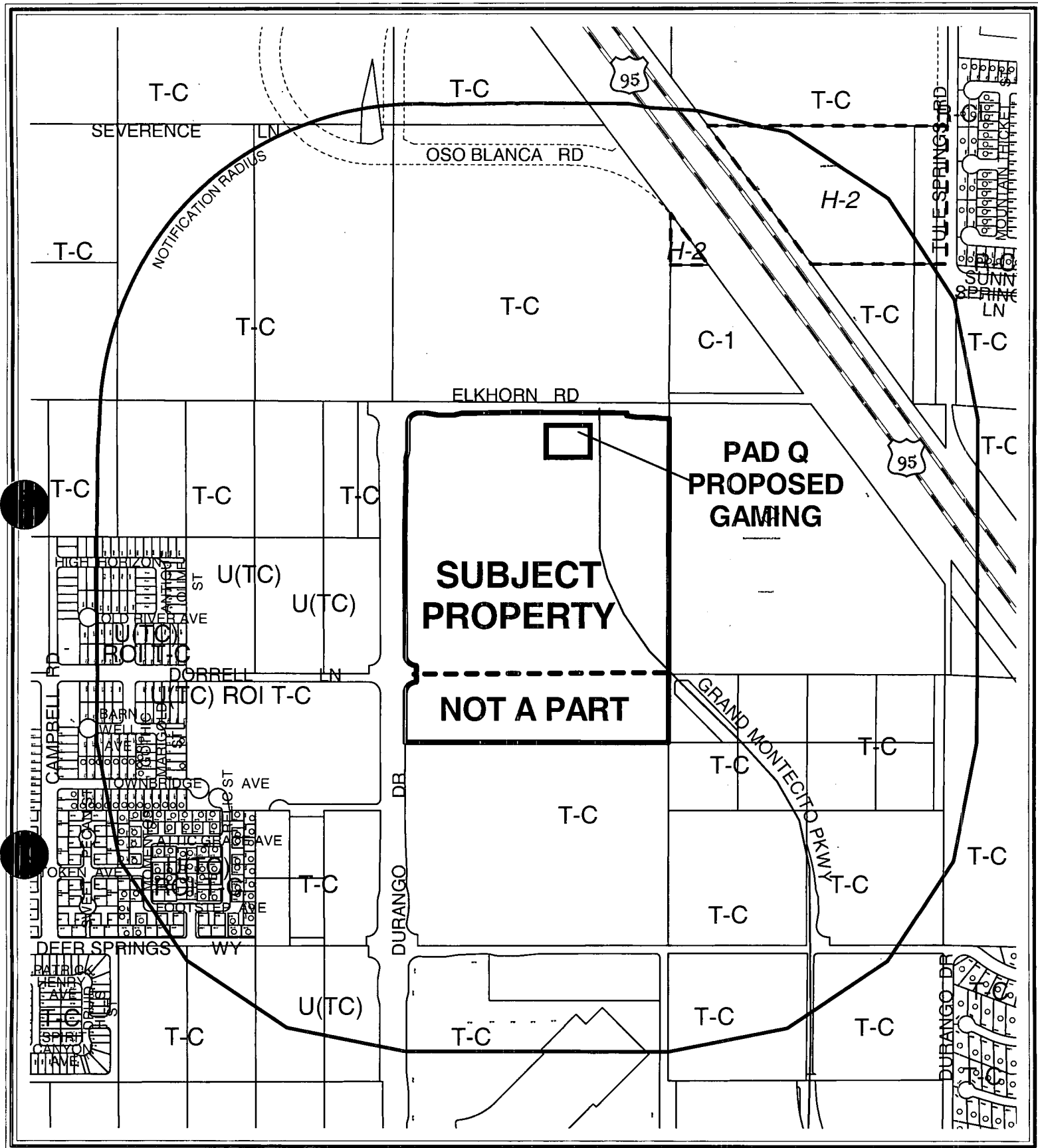
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3777

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

0 400 800 Feet



134



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3777 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
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5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad Q of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 3,800 square-foot Convenience Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #31/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gaming (Incidental)" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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."**

Although the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such requirement for a "Gaming (Incidental)" use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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."**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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."**

The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
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TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
U(TC)
UNDEVELOPED
TOWN CENTER

ADJACENT LAND USE
U(TC)
UNDEVELOPED
TOWN CENTER

STANDARD PARKING STALL DIMENSIONS

Site Plan SA-1

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.

SUP-3777
03-11-04 PC



3280 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-882-8500
702-882-8500 fax
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Corporate Office:
Long Beach, CA

Regional Office:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz Ruth
ARCHITECTS

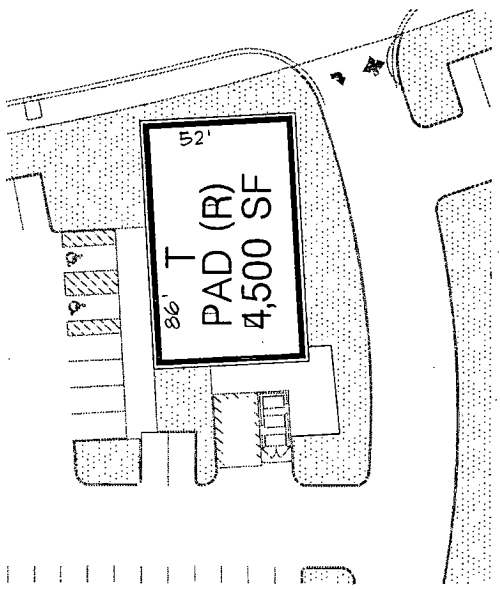
555 of Bungeo Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions	

Date: 01/27/04
Drawn By: rtk
Checked By: rtk
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File Name: 00062004dwg
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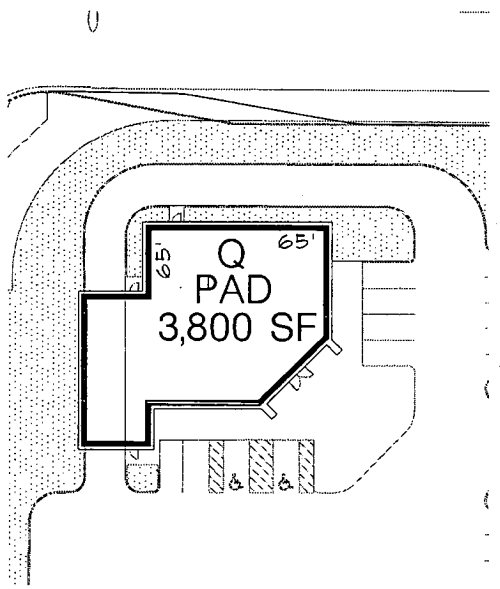
Floor Plans
FL-4



BUILDING "T"

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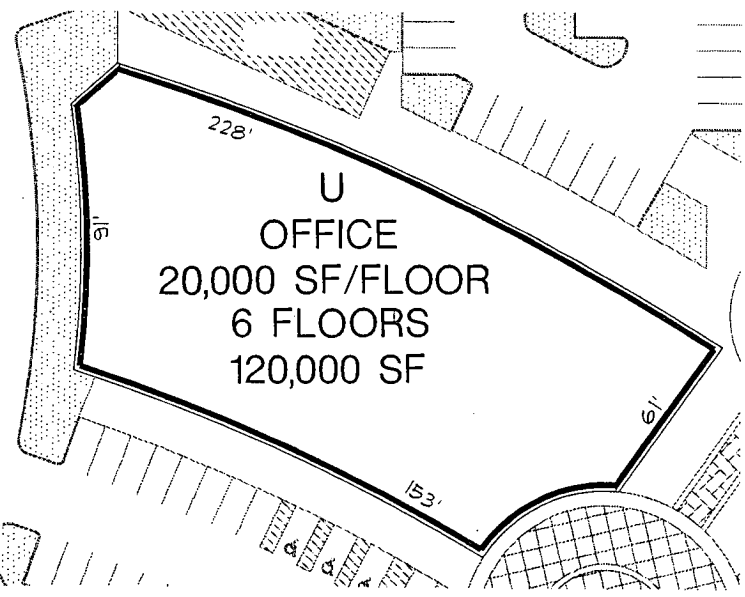
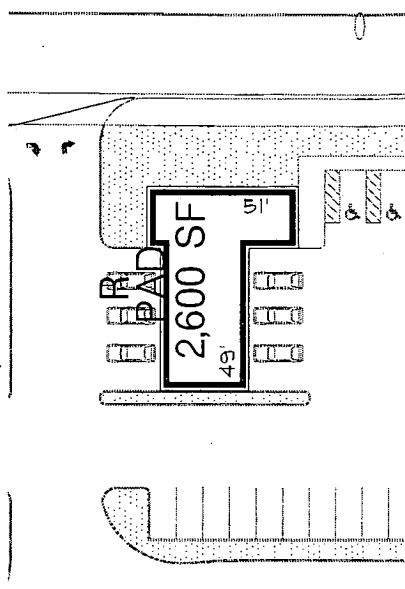
T



BUILDINGS "Q" AND "R"

DATE: 01/27/04
SCALE: 1" = 20'-0"

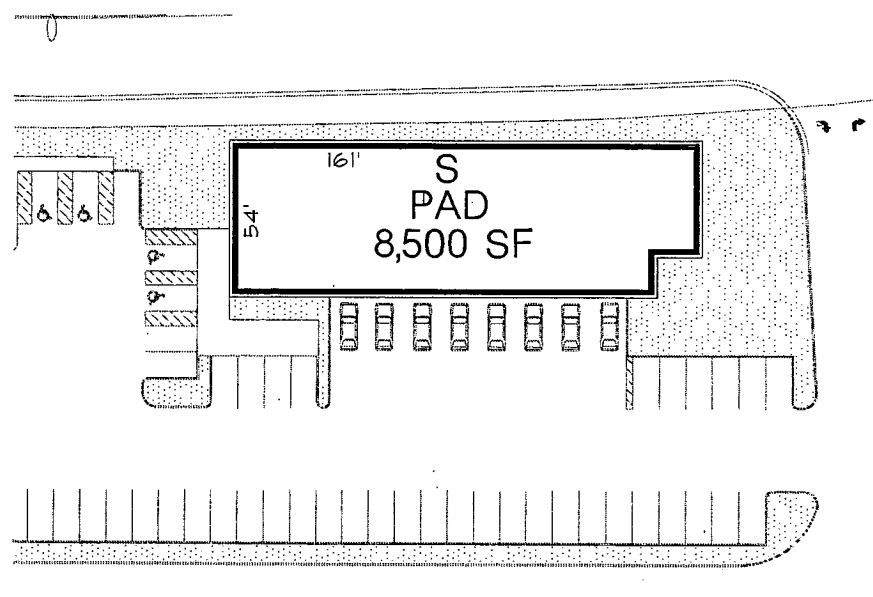
Q&R



BUILDING "U"

DATE: 01/27/04
SCALE: 1" = 20'-0"

U



BUILDING "S"

DATE: 01/27/04
SCALE: 1" = 20'-0"

S

SUP-3777

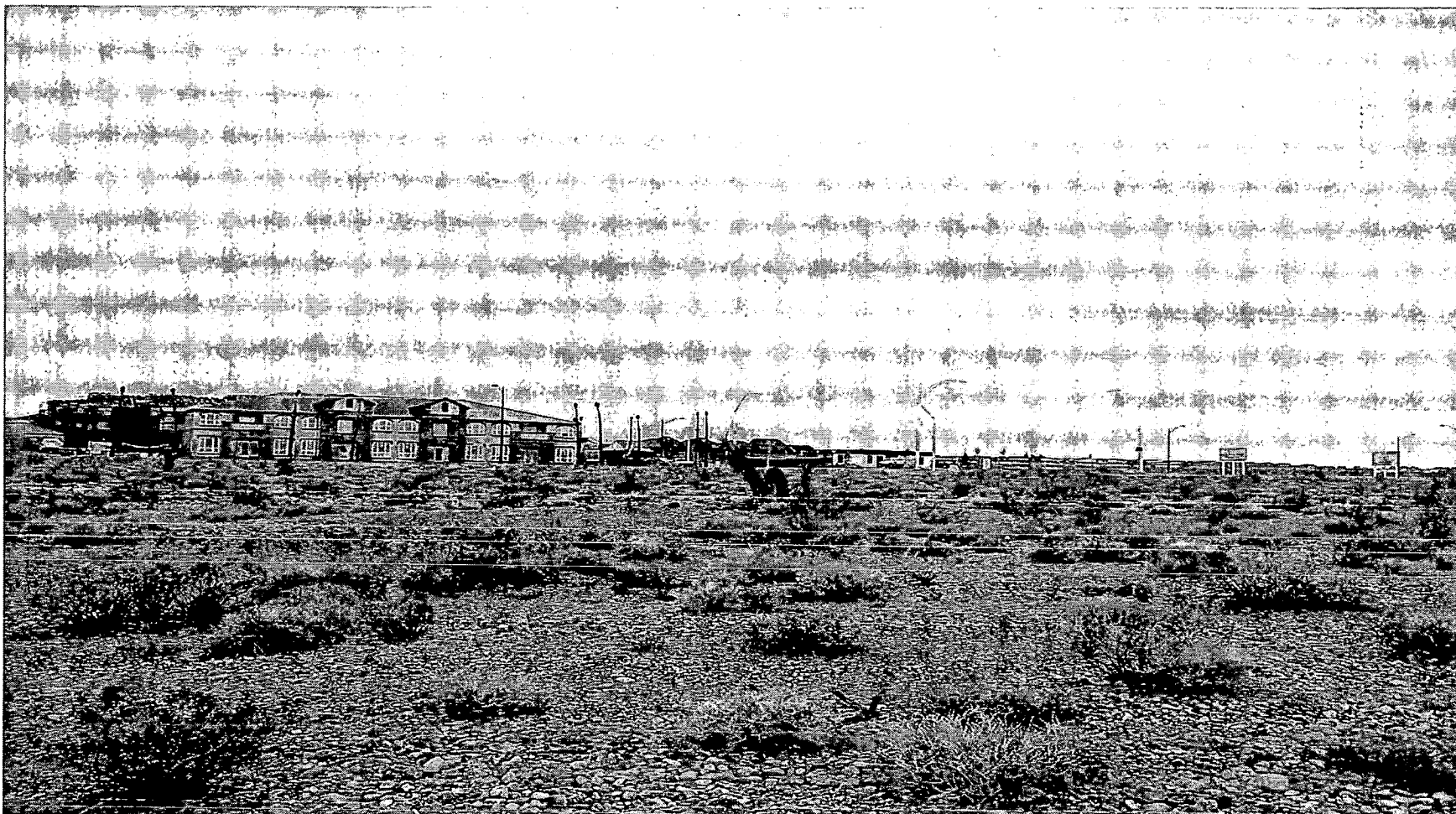
03-11-04 PC



SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3777 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776 AND SUP-3777 - PUBLIC HEARING - SUP-3778 - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR LIQUOR SALES on Pad Q of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 135 – SUP-3778

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

(1:56 – 2:08)

3-1979

CONDITIONS:

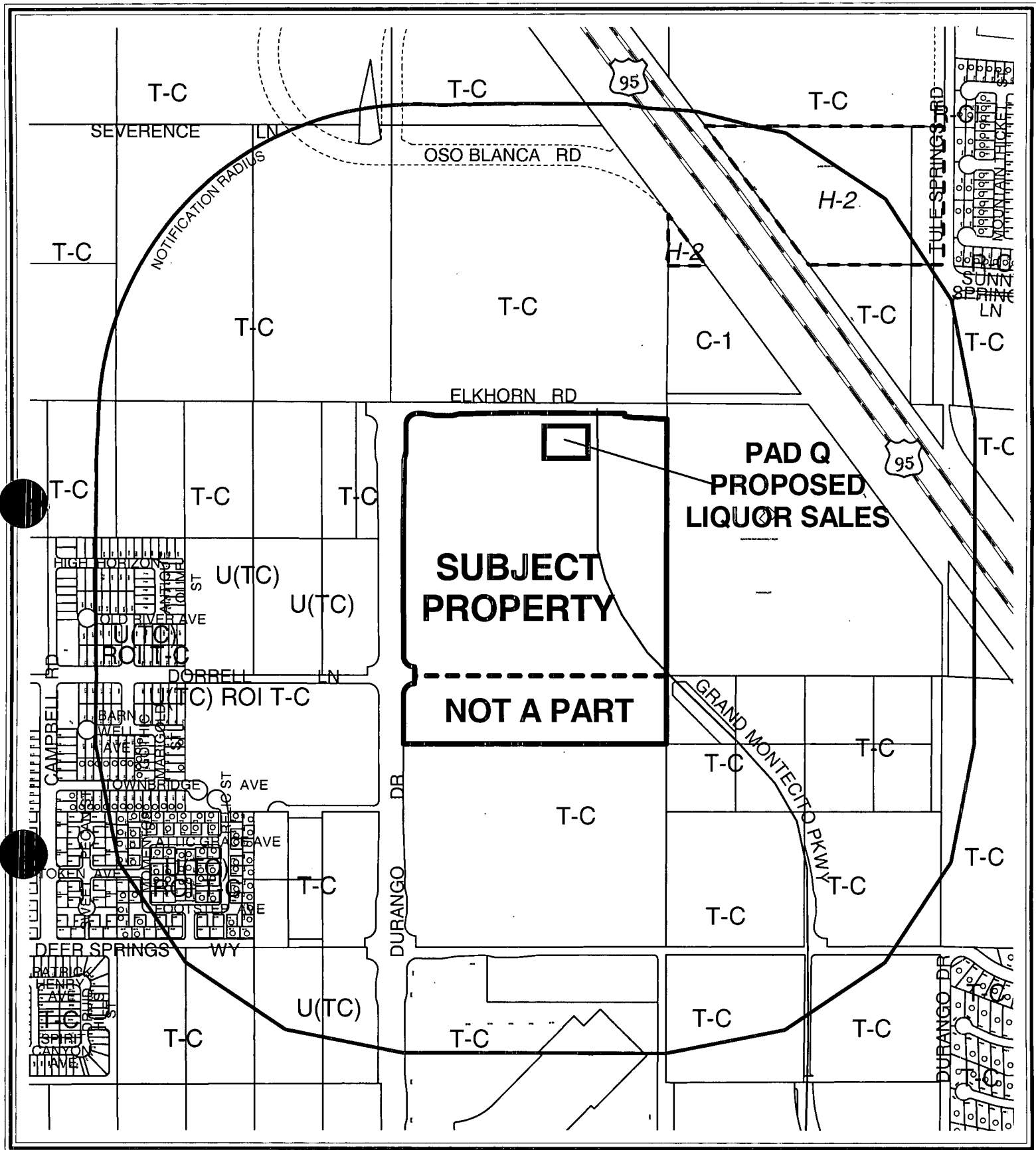
Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 135 – SUP-3778

CONDITIONS – Continued:

7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3778

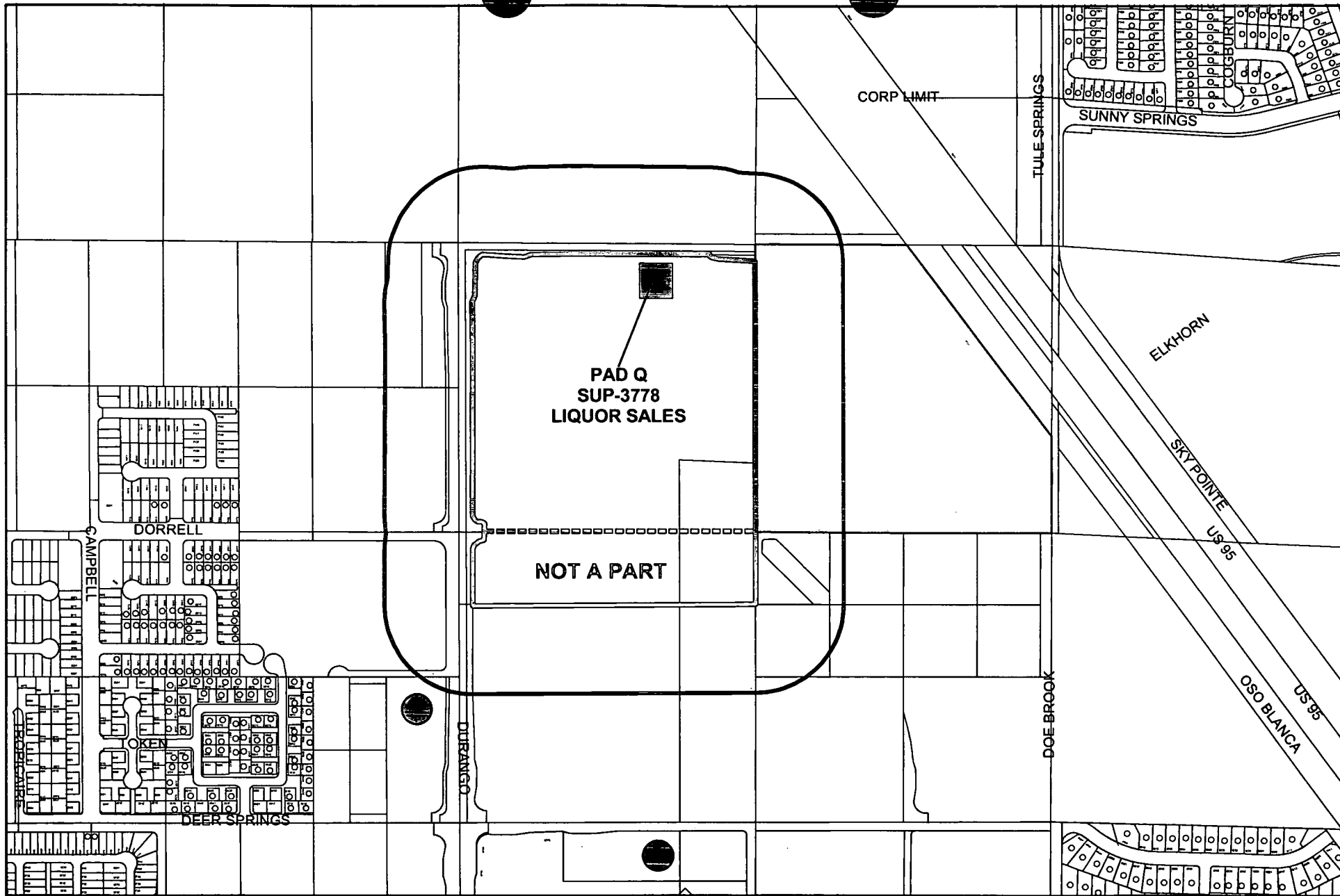
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

135





SUP-3778

Protected Landuses

- | | |
|---|---|
|  Parks |  Taverns |
|  Schools |  Religious |

Business Licenses

- | |
|--|
|  Tavern |
|  Child Care/
Children Facility |

 Subject Property

 400 foot buffer

0 650 1,300 2,600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3778 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
7. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Liquor Sales use on Pad Q of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 3,800 square-foot Convenience Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #32/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed use. Since the proposed use is ancillary to the principal Convenience Store use on Pad Q, it will not generate additional parking to that which would be required for the Convenience Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,800 s.f.	1 space/250 s.f. of GFA	16 spaces	1 space	17 spaces (2,470 spaces provided overall)	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Liquor Sales uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 400-foot separation distance between Alcoholic Beverage Sales/Liquor Store uses and any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Liquor Sales" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require an "Alcoholic Beverage Sales/Liquor Store" to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Liquor Sales use, other than it will be ancillary to the principal Convenience Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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."**

Although the Town Center Development Standards require a Alcoholic Beverage Sales/Liquor Store use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such requirement for a "Liquor Sales" use. In this case, this use would not meet the minimum Town Center distance separation requirements, if they were applicable, as there is a city park immediately to the east of the subject site. Given the applicability of the Development Agreement to the site, however, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Liquor Sales use.

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."**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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."**

The proposed Liquor Sales use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

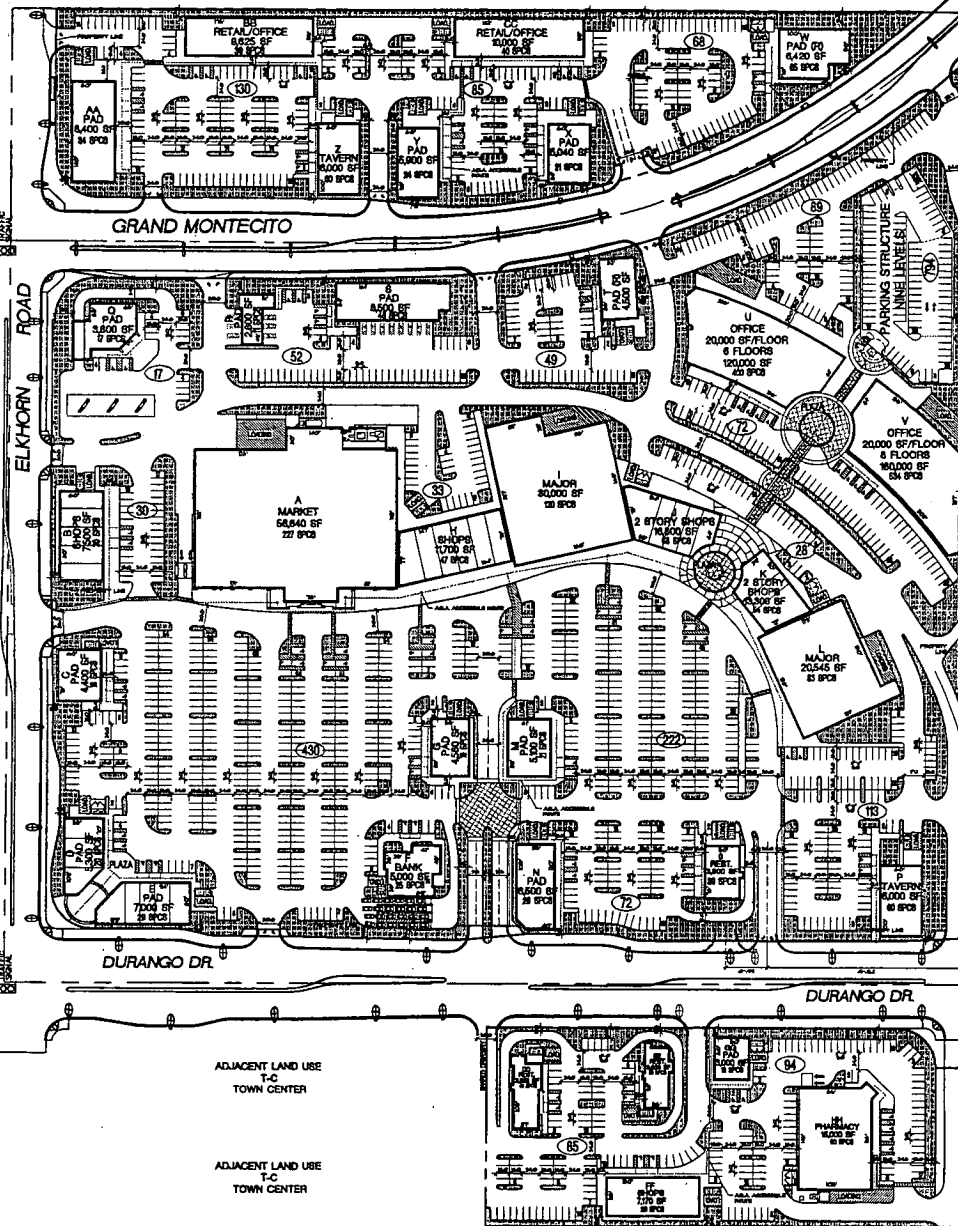
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T-C
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ADJACENT LAND USE
T-C
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ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
UTIC
UNDEVELOPED
TOWN CENTER



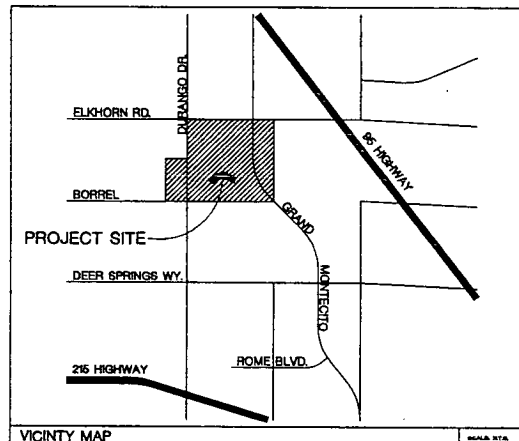
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 18/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 42/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (58,840 SF) • 1 STALL/250 SF = 237 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (6,500 SF) • 1 STALL/200 SF = 33 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP.) • 1 STALL/BAY + 1 STALL/EMP. = 8 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

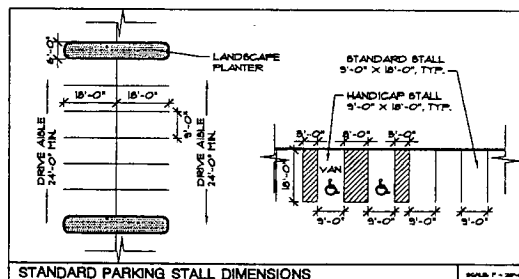
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 28/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3800 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89139
702-462-6500
702-462-6504 fax

www.parkhighways.com

Corporate Office

Long Beach, CA

Regional Office

Hempstead Beach, CA

Washington, DC

Portland, OR

Client Information

Montecito

Companies

Perkowitz-Ruth Architects

850 of Durango Drive • Elkhorn Road

MONTECITO MARKETPLACE

Las Vegas, NV

Revisions

Date

Drawn By

Checked By

Project No.

File Name

Scale

0 40 80 160

Site Plan

SA-1

SUP-3778

03-11-04 PC

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
Survey Date: 03-11-04
Scale: 1/8" = 1'-0"



2980 Howard Hughes Pkwy
 Suite 450
 Las Vegas, NV 89169
 702-892-8500
 702-892-8510 fax
www.parkorchitects.com
 Corporate Office:
 Long Beach, CA
 Regional Offices:
 Newport Beach, CA
 Washington, DC
 Portland, OR

Client Information

MONTECITO COMPANIES

Perkowitz + Ruth ARCHITECTS

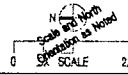
1500 of Dungey Drive - Elkhorn Road

MONTECITO MARKETPLACE

Las Vegas, NV

Revisions

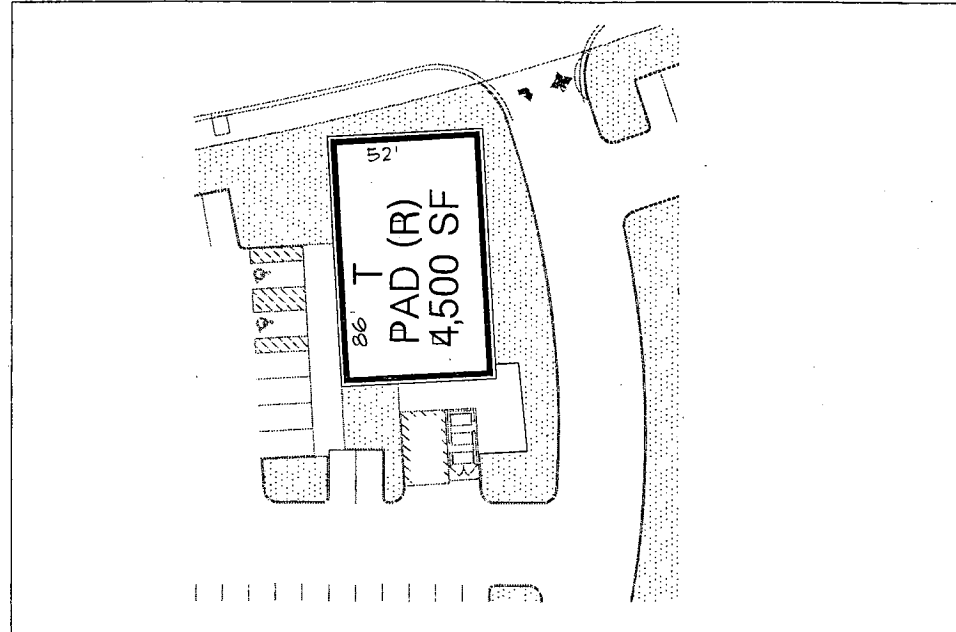
Date: 01/27/04
 Drawn By: mk
 Checked By: nj
 Project No: 03-432.11
 File Name: D:\034321\04.dwg
 Scale: T = Use Notes



N
 Scale 1/2" = 10'-0"
 0 SCALE 2X

Floor Plans

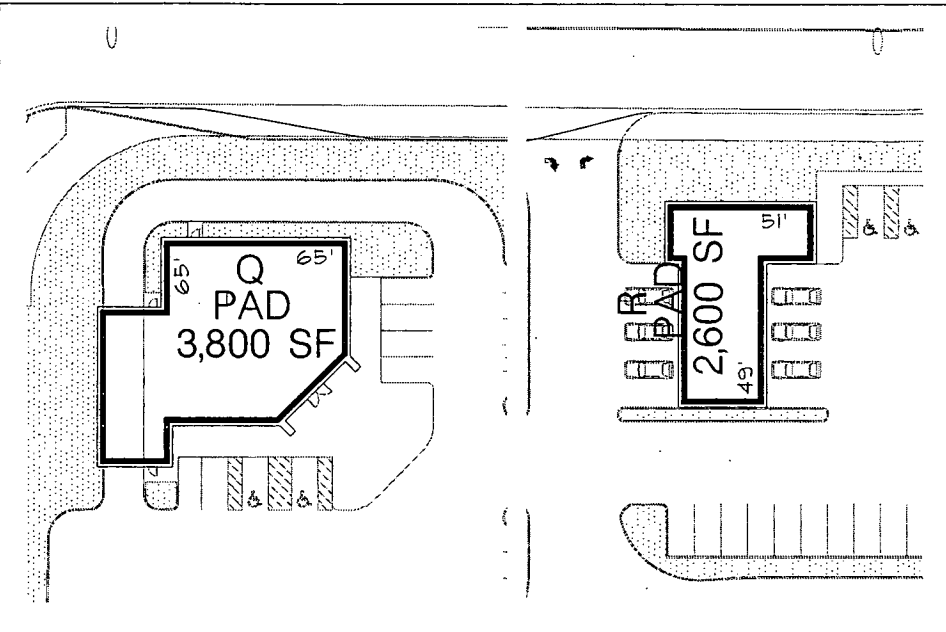
FL-4



BUILDING "T"

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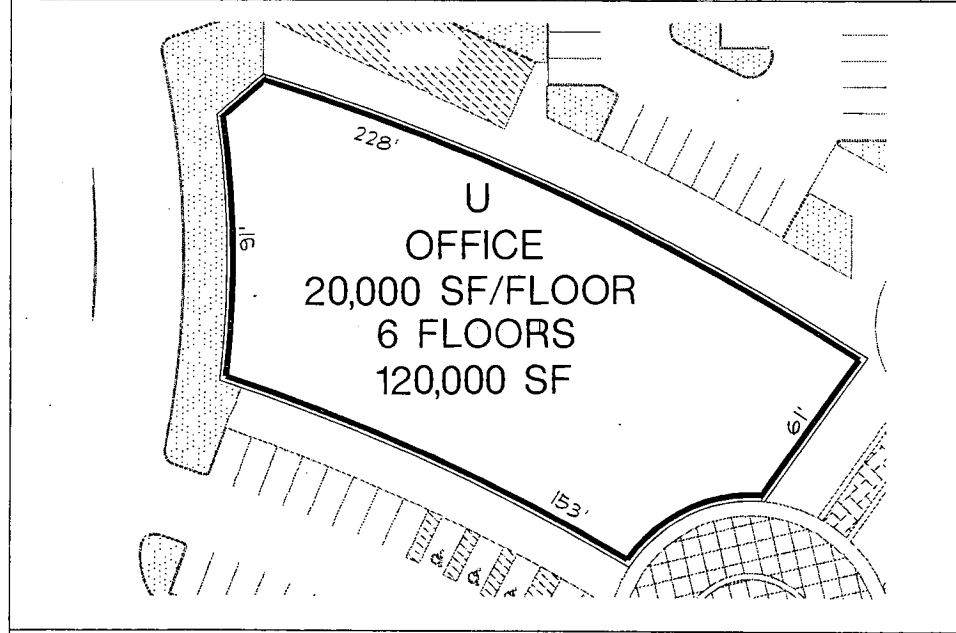
T



BUILDINGS "Q" AND "R"

DATE: 01/21/04
SCALE: 1" = 30'-0"

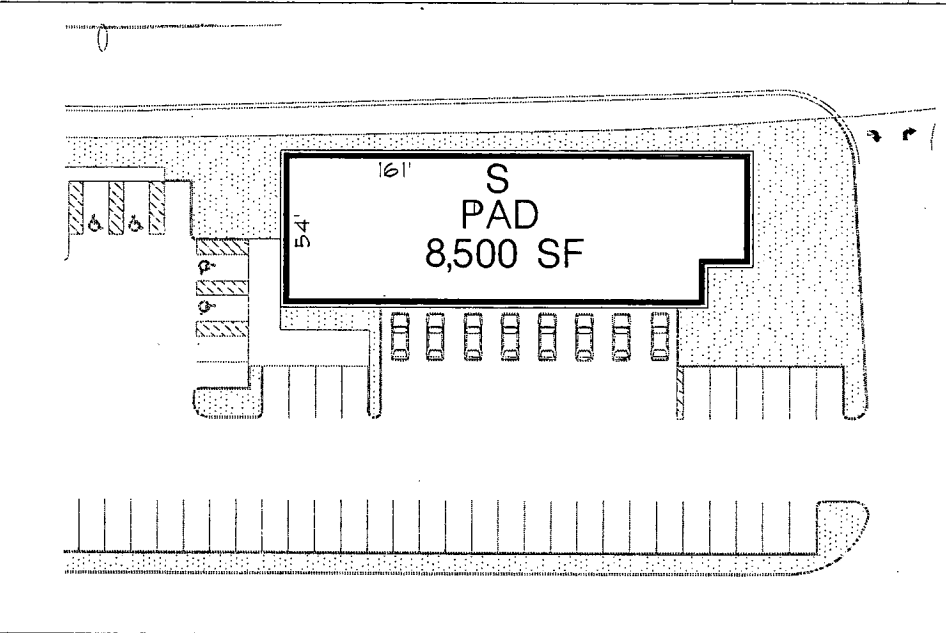
Q&R



BUILDING "U"

DATE: 01/21/04
SCALE: 1" = 30'-0"

U



BUILDING "S"

DATE: 01/21/04
SCALE: 1" = 30'-0"

S

SUP-3778

03-11-04 PC

Drawing based on: SUP-3778-01 (01/21/04) (01/21/04)
 and related drawings. All dimensions are in feet.



SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3778 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777 AND SUP-3778 - PUBLIC HEARING - SUP-3779 - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR A TAVERN on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 136 – SUP-3779

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

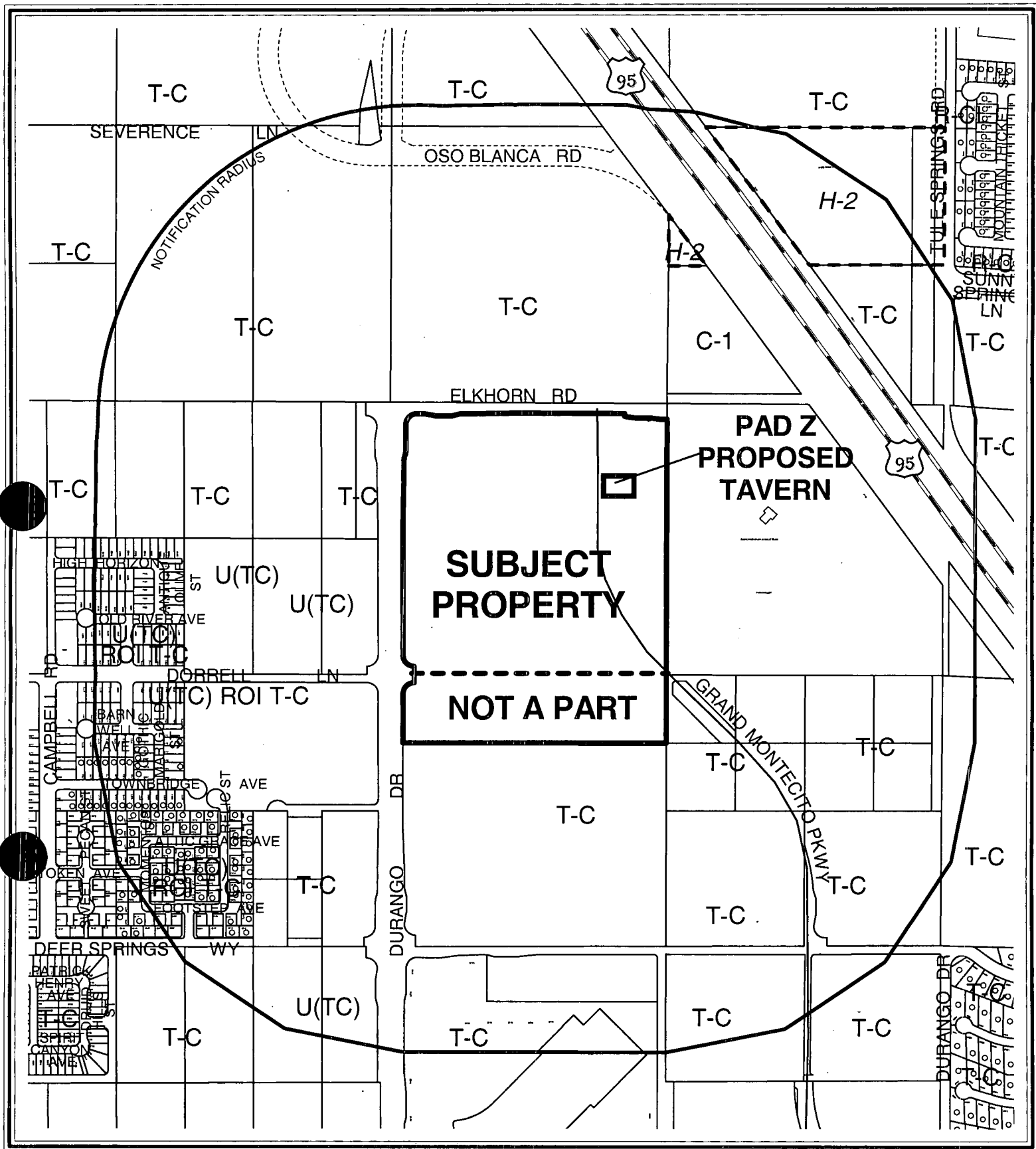
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Tavern use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3779

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

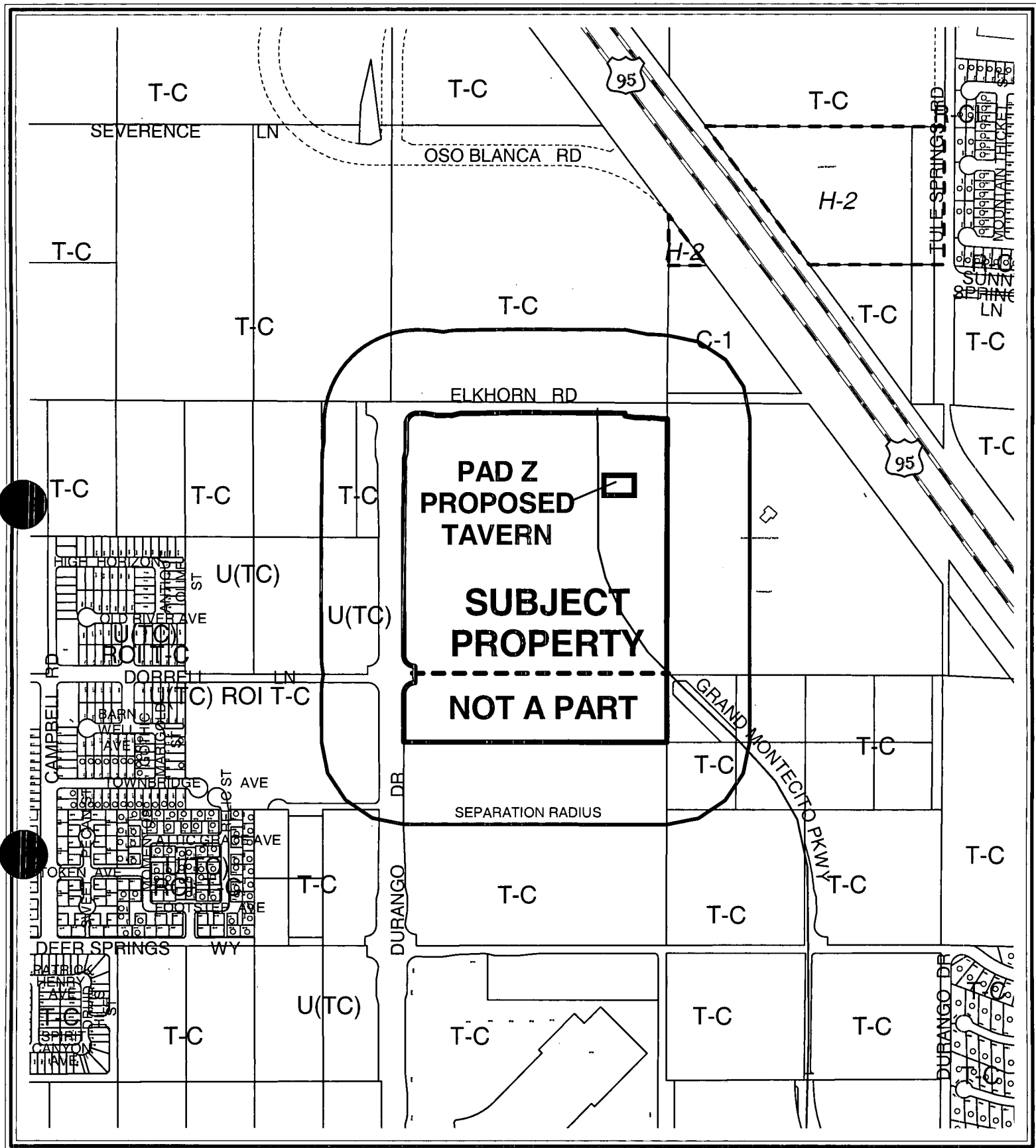
T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

0 400 800 Feet



136





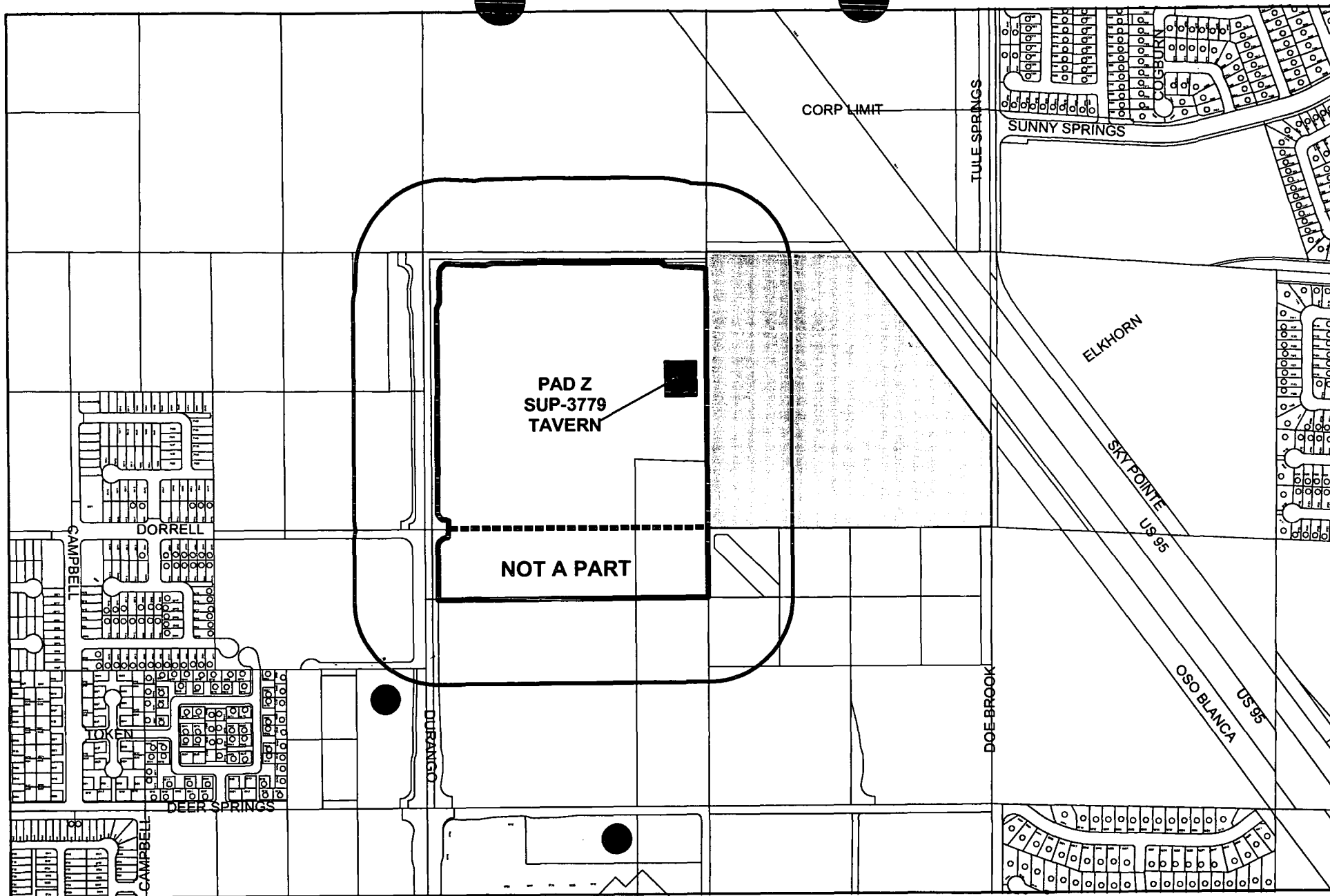
CASE: SUP-3779

SEPARATION RADIUS: 400 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER)
AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]





SUP-3779

Protected Landuses

- | | |
|---|---|
|  Parks |  Taverns |
|  Schools |  Religious |

Business Licenses

- | |
|--|
|  Tavern |
|  Child Care/
Children Facility |

 Subject Property

 400 foot buffer

0 625 1,250 2,500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3779 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Tavern use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a 6,000 square-foot Tavern on Pad Z of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #33/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed Tavern use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	60 spaces (assumes a 50:50 split) 15 spaces		60 spaces (2,470 spaces provided overall)	
Totals			75 spaces	3 spaces	60 spaces	2 spaces

The project does not appear to meet the parking requirements of the Zoning Code, for either handicap spaces or total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces, that can make up the apparent deficiency. A condition of approval of the companion overall site plan (SDR-3764) will be that a shared access and parking agreement will be registered on the title of this site, to ensure that all uses on the site will benefit from adequate parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Taverns in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 400-foot separation distance between "Pubs, Bars & Lounges (Taverns, Etc.)" and any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. "Pubs, Bars & Lounges (Taverns, Etc.)" would otherwise be allowed in the UC-TC and MS-TC special land use designations of Town Center with the approval of a Special Use Permit. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Tavern" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Tavern" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Pubs, Bars & Lounges (Taverns, Etc.)" use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Tavern use. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards require a “Pubs, Bars & Lounges (Taverns, Etc.)” use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such requirement for a “Tavern” use. In this case, this use would not meet the minimum Town Center distance separation requirements, if they were applicable, as there is a city park immediately to the east of the subject site. Given the applicability of the Development Agreement to the site, however, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Tavern use.

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.”**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Tavern use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3779 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: **MTC-118, Inc**

Name of Applicant: **Montecito Companies, LLC**

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: 

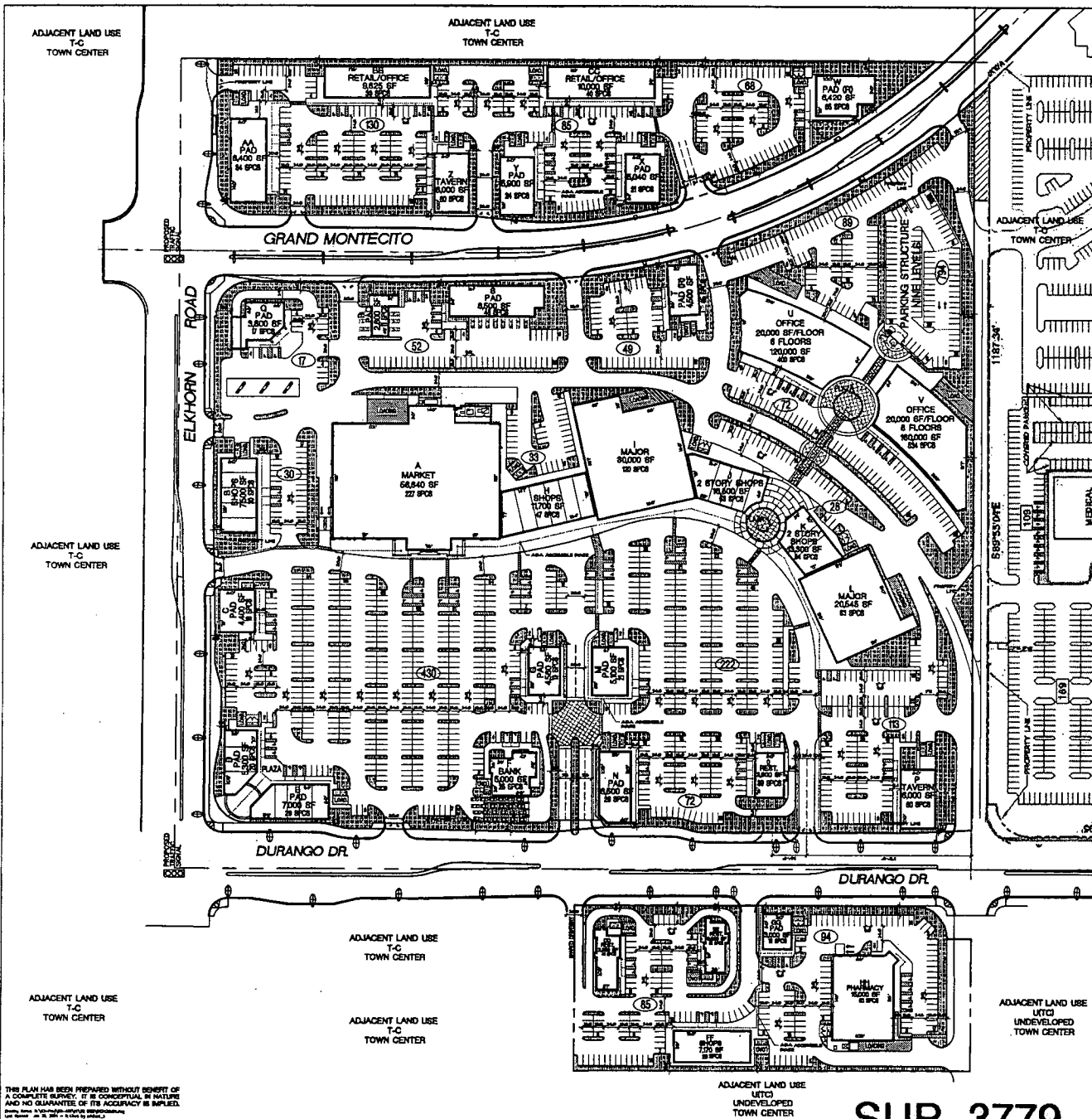
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2009

Mareka Bloss
Notary Public in and for said County and State





SUMMARY

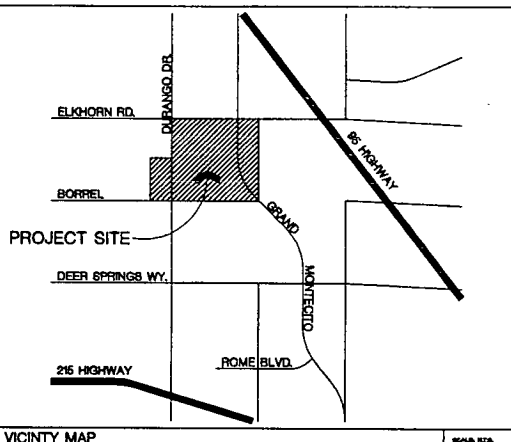
LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF)
 LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF)
 BUILDING AREA • 587,750 SF
 LAND/BUILDING RATIO • 1.8/1 35.6%
 PARKING REQUIRED • 2,392 STALLS
 PARKING PROVIDED • 2,470 STALLS
 PARKING RATIO • 4.2/1000

PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
 RESTAURANT (34,570 SF) • 1 STALL/100 SF = 344 STALLS
 MARKET (58,840 SF) • 1 STALL/250 SF = 227 STALLS
 PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
 OFFICE (230,000 SF) • 1 STALL/500 SF = 394 STALLS
 CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
 • 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
 AUTO REPAIR (6,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
 AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
 BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

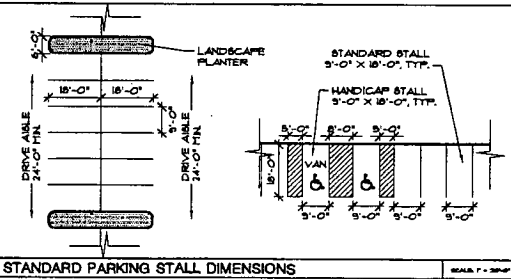
SUMMARY / PARKING ANALYSIS / FAR

OPEN SPACE AREA PROVIDED • 439,740 SF
 OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • 242,680 SF
 LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS



3500 Howard Hughes Pkwy
 Suite 550
 Las Vegas, NV 89169
 702-482-8200
 702-482-4554 fax

www.parkowir-puth.com

Corporate Office
 Long Beach, CA

Regional Office
 Newport Beach, CA
 Washington, DC
 Portland, OR

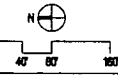
Client Information

MONTECITO
 COMPANIES

Perkowitz-Puth
 ARCHITECTS
 650 of Orange Ave • Elkhorn Road
 MONTECITO MARKETPLACE
 Las Vegas, NV

Revisions

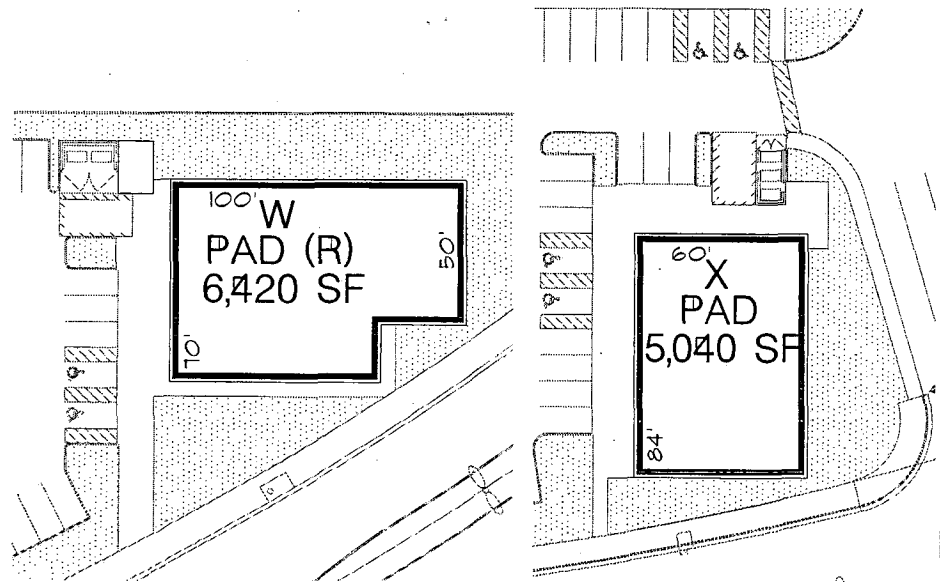
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 Checked By: m
 Project No.: 03-4321
 File Name: 03042004.dwg
 Scale: 1" = 80'



Site Plan
 SA-1

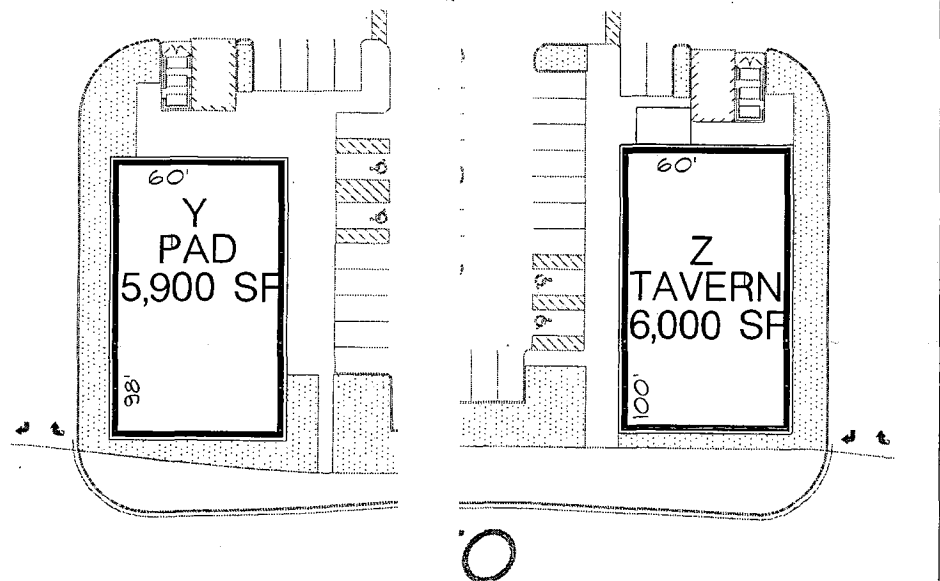
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SUP-3779
 03-11-04 PC



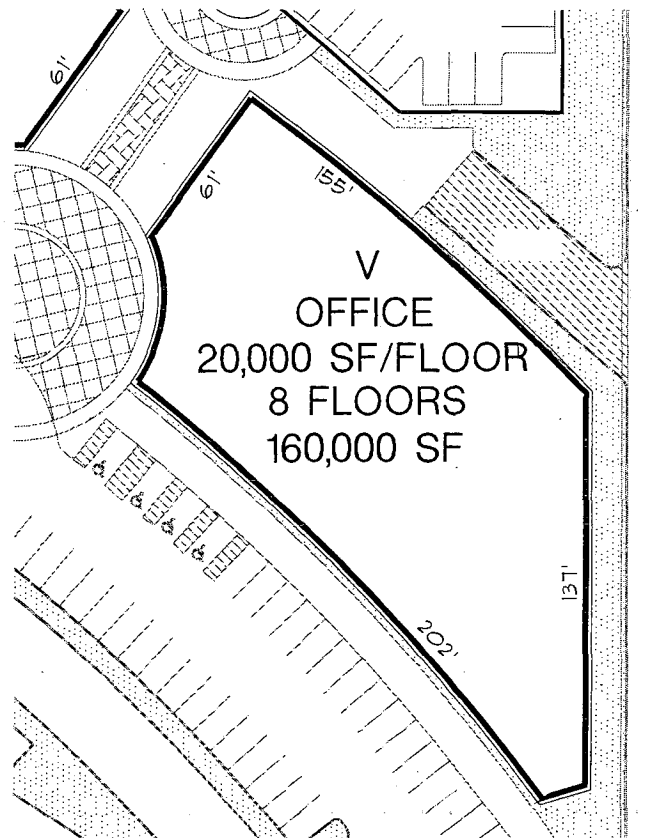
BUILDINGS "W" AND "X"

DATE: 01/21/04
SCALE: 1" = 30'-0"
W&X



BUILDINGS "Y" AND "Z"

DATE: 01/21/04
SCALE: 1" = 30'-0"
Y&Z



BUILDING "V"

DATE: 01/21/04
SCALE: 1" = 30'-0"
V



3080 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-882-8500
702-882-8510 fax
www.parkcityrealtors.com

Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

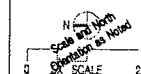
Perkowitz-Ruth
ARCHITECTS

555 of Durango Blvd - El Dorado Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

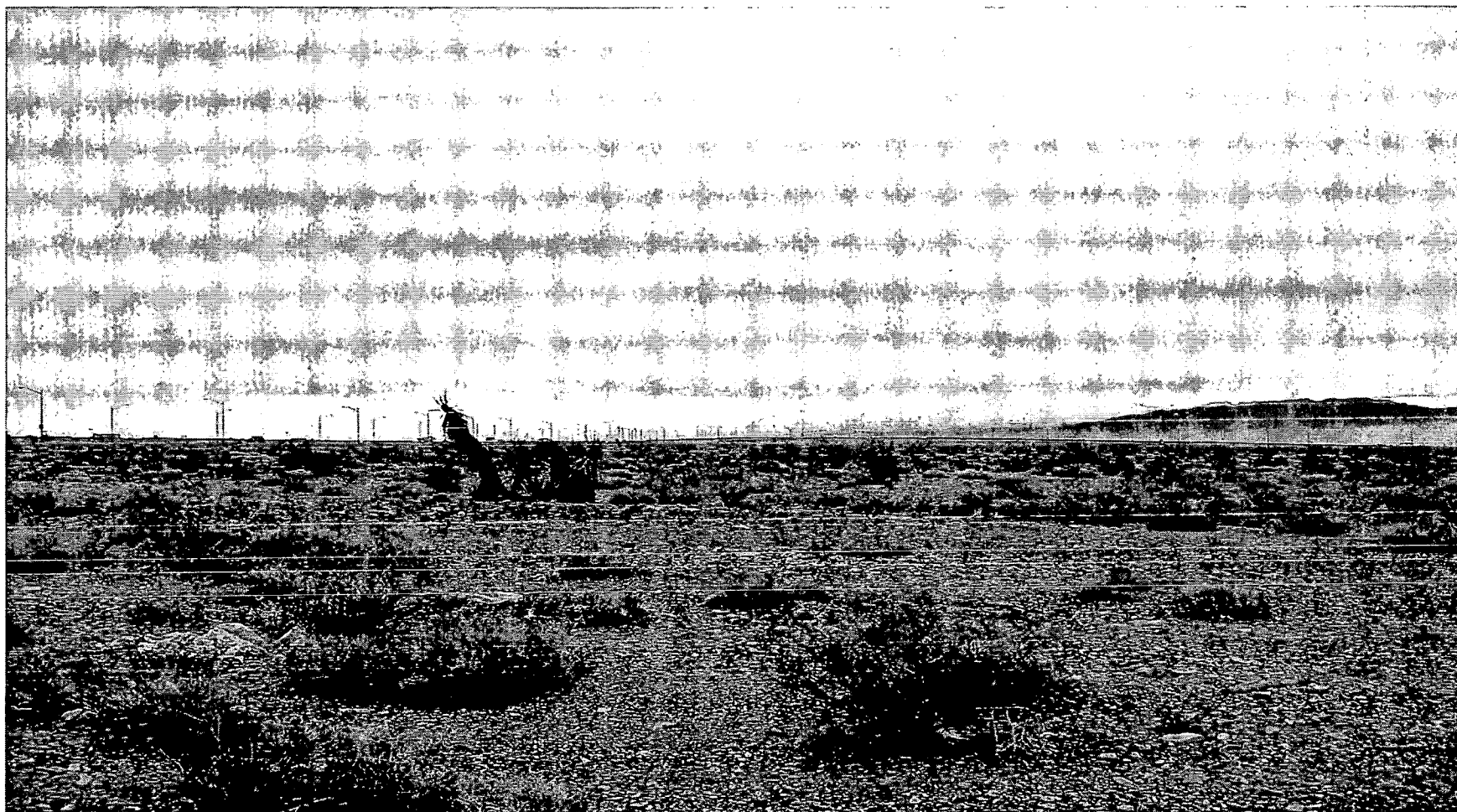
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Checked By: rnk
Project No.: 03-432.11
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Scale: 1" = 30'-0"
T = Use Noted



Floor Plans
FL-5

SUP-3779

03-11-04 PC



SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3779 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778 AND SUP-3779 - PUBLIC HEARING - SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad Z of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 137 – SUP-3780

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

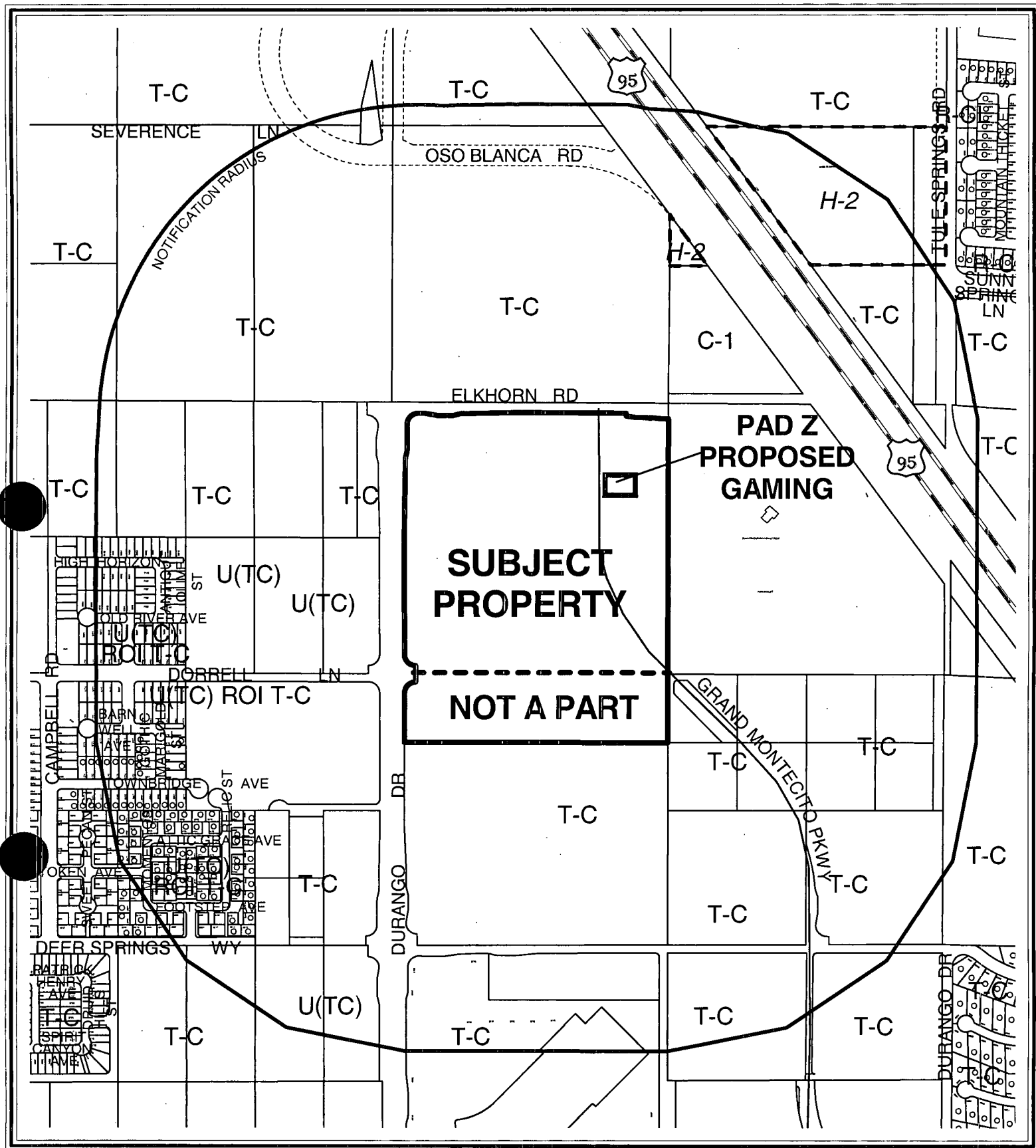
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3780

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

137



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3780 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad Z of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be located within and as part of a 6,000 square-foot Tavern on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964.
- 12/07/98 The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval.
- 12/19/02 The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #34/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed use is ancillary to the principal Tavern use on Pad Z, it will not generate additional parking to that which would be required for the Tavern use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Tavern	6,000 s.f.	1 space/50 s.f. of seating + waiting GFA and 1 space/200 s.f. of remaining area	60 spaces (assumes a 50:50 split) 15 spaces		60 spaces (2,470 spaces provided overall)	
Totals			75 spaces	3 spaces	60 spaces	2 spaces

The project does not appear to meet the parking requirements of the Zoning Code, for either handicap spaces or total number of spaces; however, this use is part of an overall site plan that contains a number of surplus parking spaces, that can make up the apparent deficiency. A condition of approval of the companion overall site plan (SDR-3764) will be that a shared access and parking agreement will be registered on the title of this site, to ensure that all uses on the site will benefit from adequate parking.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Gaming (Incidental)" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, no such restriction exists for Town Center lands, such as the subject site, which are within the area subject to the Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Tavern use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such requirement for a “Gaming (Incidental)” use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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.”**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3780 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: **MTC-118, Inc**

Name of Applicant: Montecito Companies, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

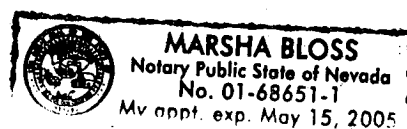
Signature of Property Owner/Authorized Agent: 

Print Name: Frank Nelson

Subscribed and sworn before me

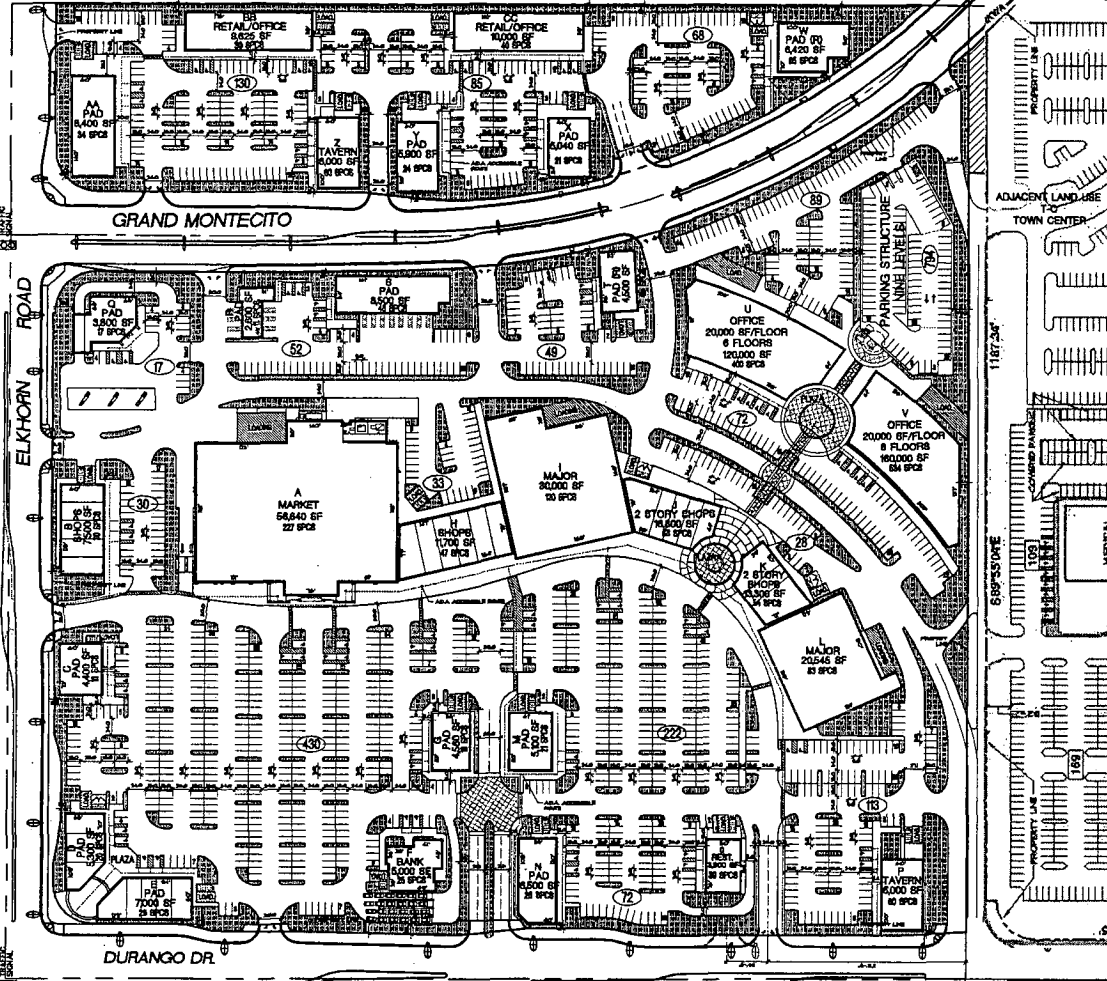
This 26 day of January, 2004

Marela Bloss
Notary Public in and for said County and State



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



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ADJACENT LAND USE
UTCO
UNDEVELOPED
TOWN CENTER

ADJACENT LAND USE
UTCO
UNDEVELOPED
TOWN CENTER

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF
A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE
AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
RENDERING: 03-11-04 PC
DATE: 03-11-04

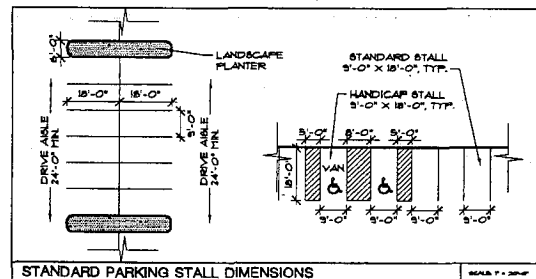
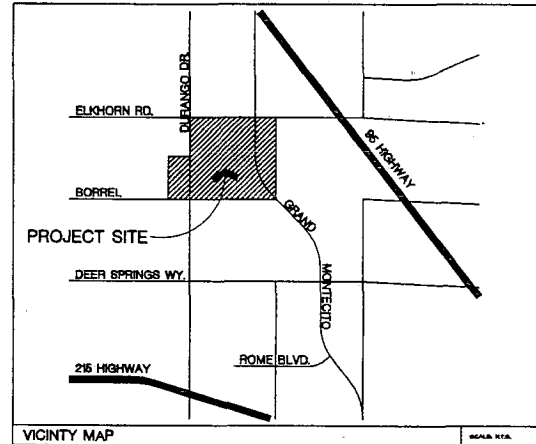
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 18/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 4.2/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (56,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 8 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



PR

3280 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89169
702-892-8920
702-892-8954 fax

www.parkovitz.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Parkovitz-Ruth
ARCHITECTS
SE of Durango Dr. & Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

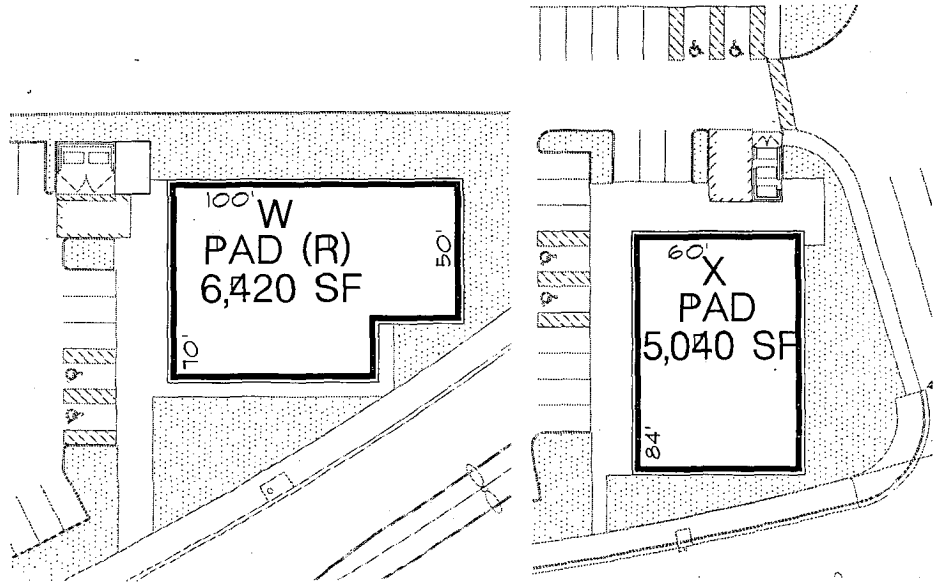
Revisions

Date: 01/27/04
Drawn By: rlt
Checked By: ml
Project No: 03-432-11
File Name: 03043204.dwg
Scale: 1" = 80'

North Arrow
0 40 80 120

Site Plan
SA-1

SUP-3780
03-11-04 PC

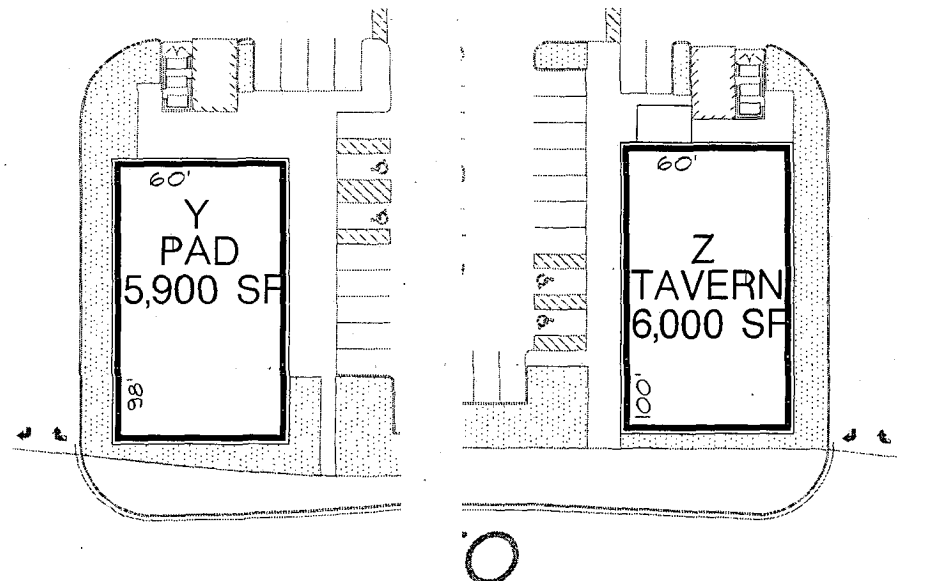


BUILDINGS "W" AND "X"



DATE: 01/21/04
SCALE: 1" = 20'-0"

W&X

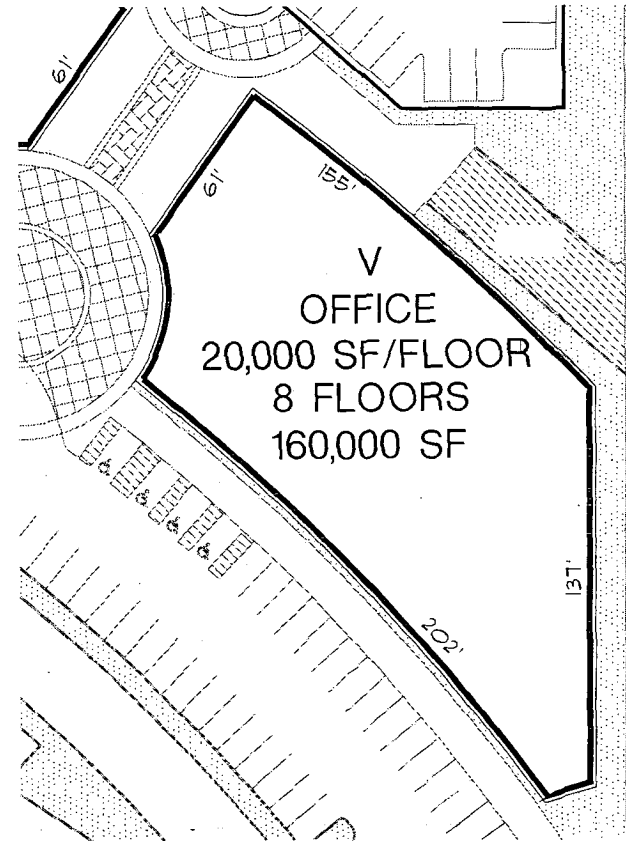


BUILDINGS "Y" AND "Z"



DATE: 01/21/04
SCALE: 1" = 20'-0"

Y&Z



BUILDING "V"



DATE: 01/21/04
SCALE: 1" = 20'-0"

V



3580 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
702-892-8320
702-892-8536 fax
www.prarchitects.com

Corporate Office
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz-Ruth
ARCHITECTS

5501 Alameda Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/21/04
Drawn By: mk
Checked By: nj
Project No.: 03-3780
File Name: 03030303.dwg
Scale: 1" = 20'-0"



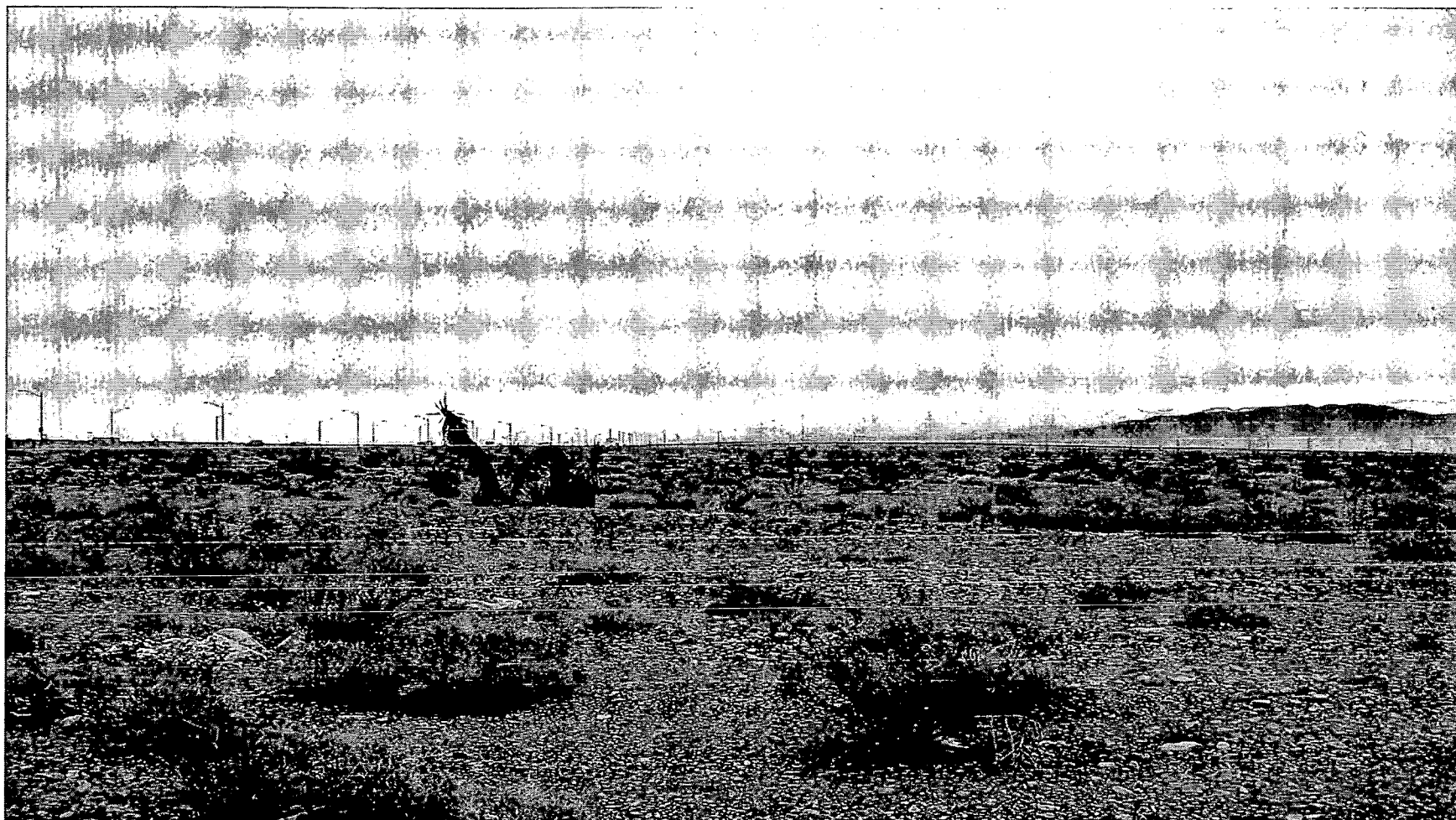
Scale and North
Orientation as Noted

0 SCALE 2X

Floor Plans
FL-5

SUP-3780

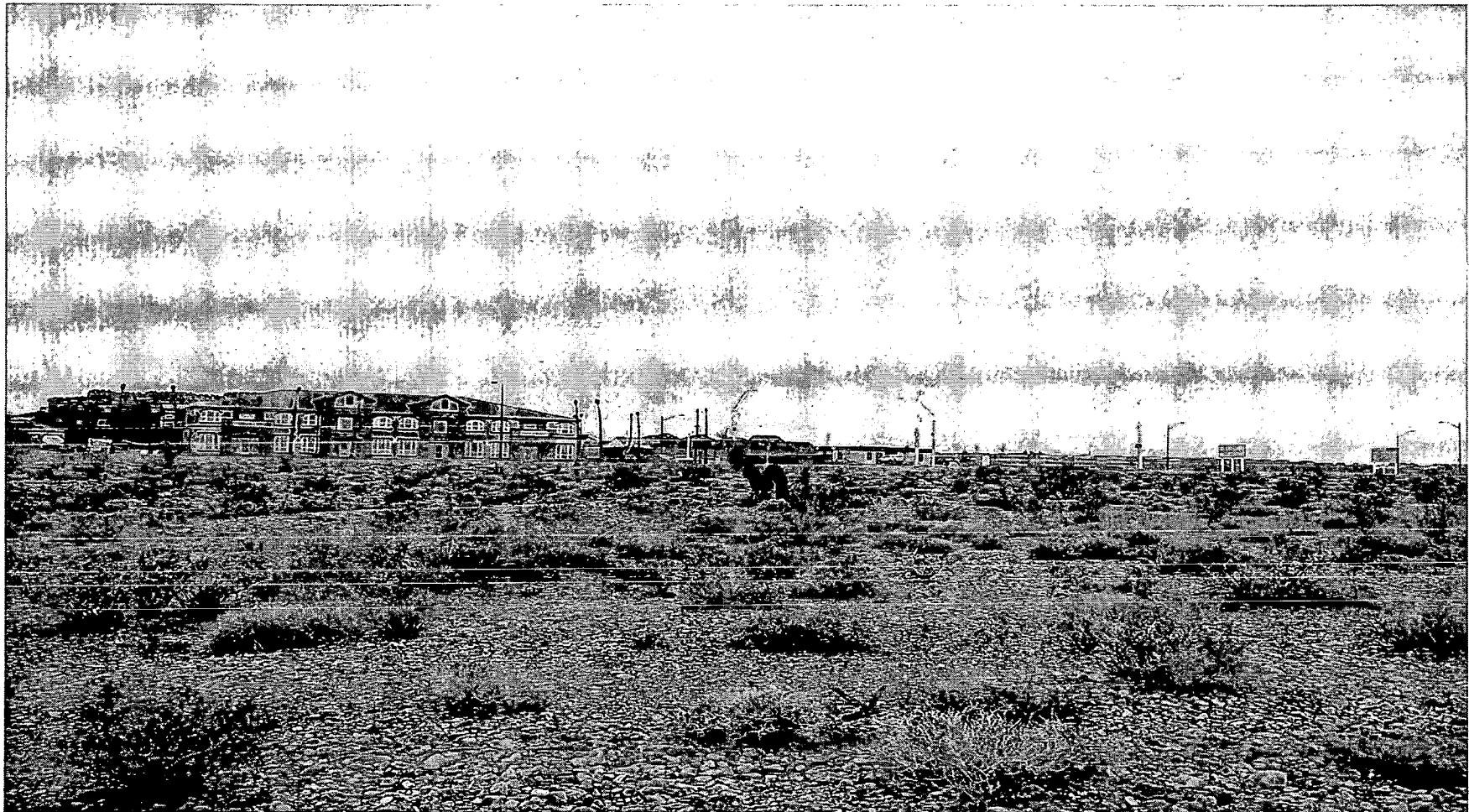
03-11-04 PC



SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3780 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779 AND SUP-3780 - PUBLIC HEARING - **SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC. -** Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad F of the proposed Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Town Center Land Use Designations], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 138 – SUP-3781

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

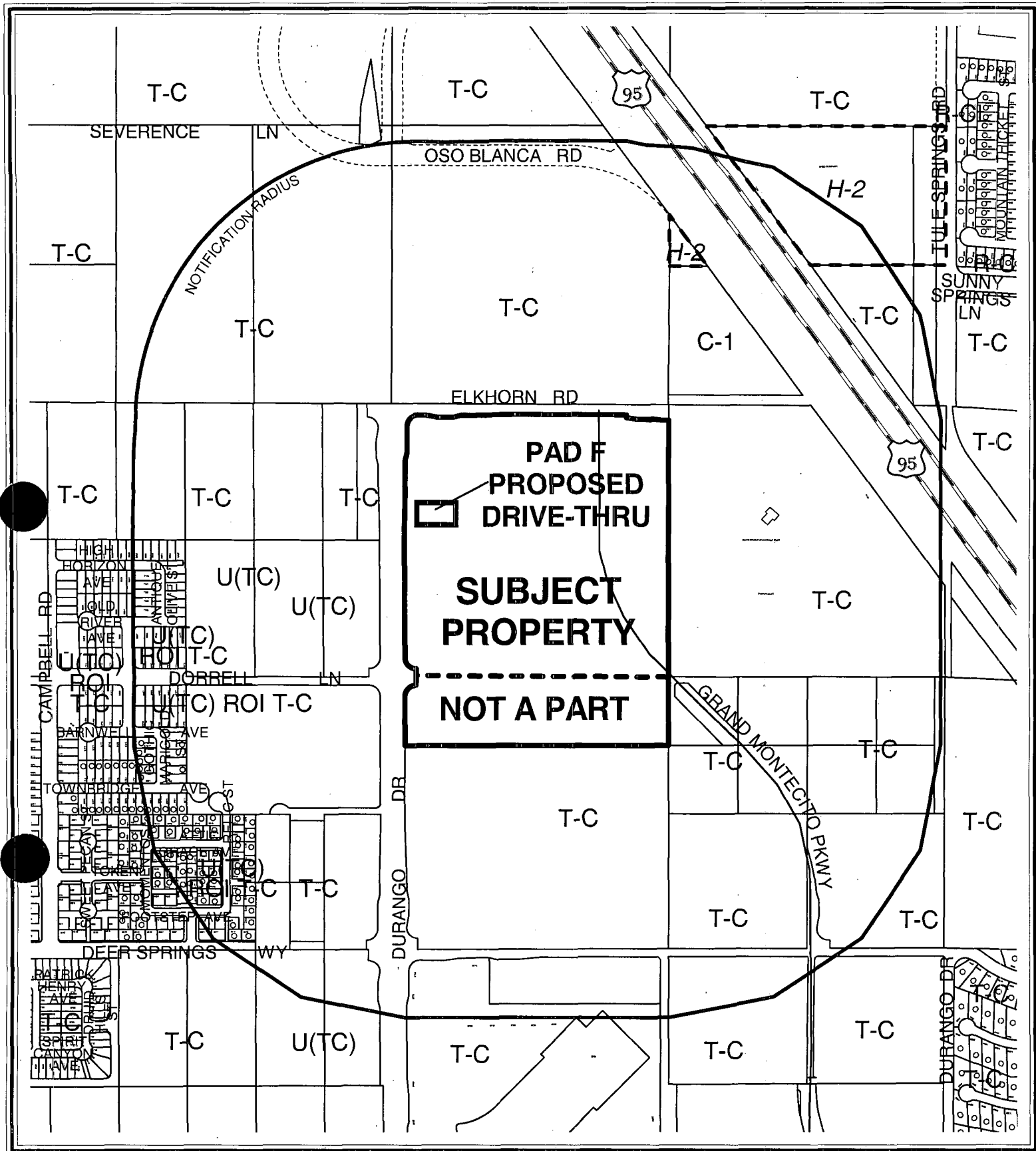
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3781

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION]

0 400 800 Feet



138



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3781 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
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5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad F of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the southeast corner of Elkhorn Road and Durango Drive. This use will be part of a 5,500 square-foot Bank on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 05/20/64 | The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the subject site. The effective date of this annexation was May 29, 1964. |
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site, which is the location of this Special Use Permit request. The Planning Commission and staff recommended approval. |
| 12/19/02 | The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval. |
| 10/16/03 | The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit. |
| 03/11/04 | The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive |

and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #35/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	45.6
Net Acres:	37.9

B) Existing Land Use

Subject Property:	Undeveloped
North:	Undeveloped
South:	Undeveloped
East:	Undeveloped
West:	Undeveloped

C) Planned Land Use

Subject Property:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
North:	PF-TC (Public Facilities - Town Center)
South:	UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center)
East:	PF-TC (Public Facilities - Town Center)
West:	UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
 North: T-C (Town Center)
 South: T-C (Town Center)
 East: T-C (Town Center)
 West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
 T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site is governed by the provisions of the Agreement, which differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an

80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road, which requires a five-foot sidewalk and a four-foot amenity zone, and a four-foot bike lane against the curb on both sides of the street. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Bank use on Pad F, it will not generate additional parking to that which would be required for the Bank use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Commercial, Other than Listed	5,500 s.f.	1 space/250 s.f. of GFA	22 spaces	1 space	25 spaces (2,470 spaces provided overall)	2 spaces

The project will exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned T-C (Town Center). The proposed use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, such restrictions are superceded for Town Center lands, such as the subject site, which are within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the approved policies governing the area.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Bank use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC and MS-TC special land use designations, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. Given the applicability of the Development Agreement to the site, the request conforms to the provisions of the Agreement.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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.”**

Durango Drive, on the west boundary of the site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

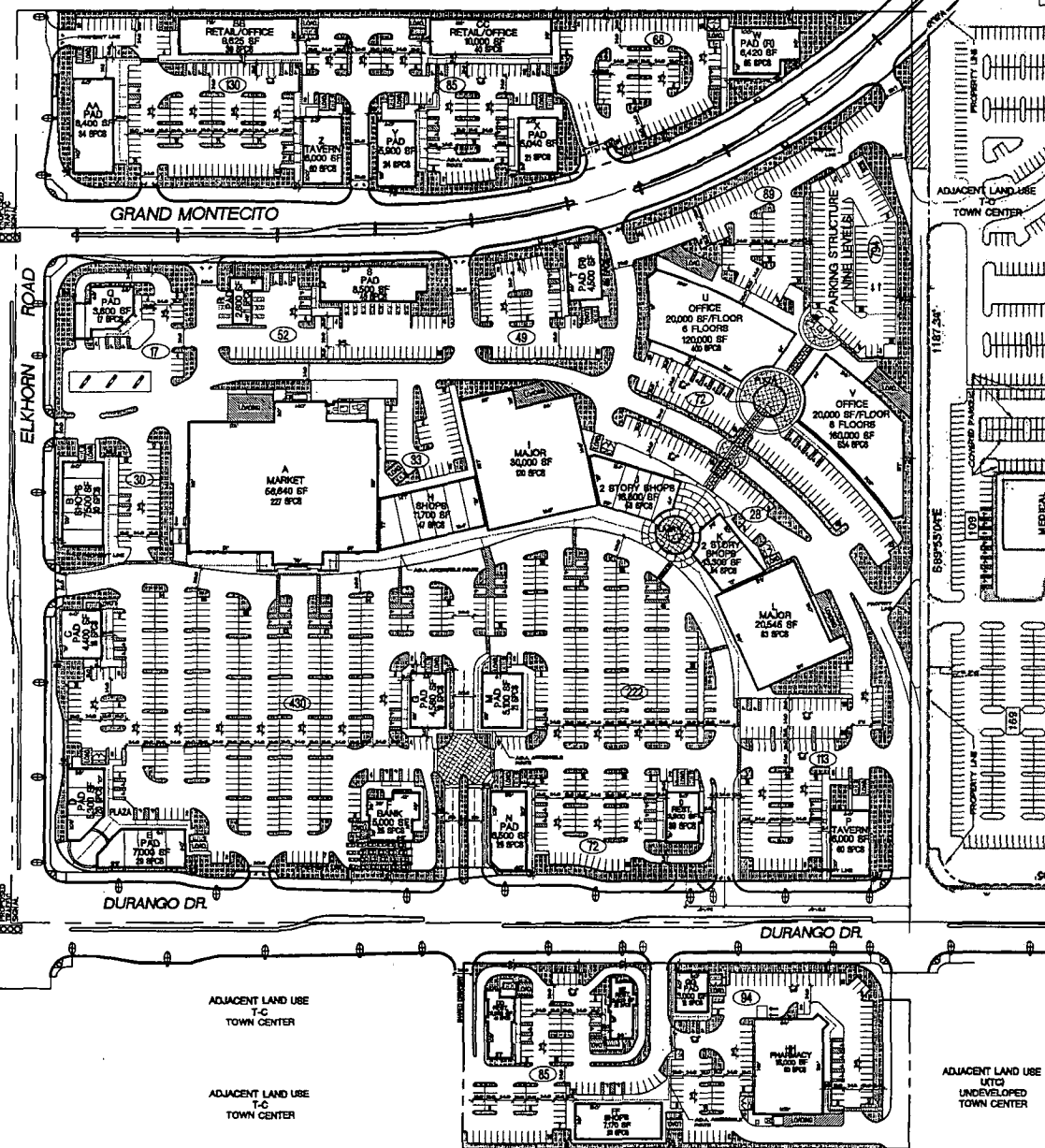
NOTICES MAILED 167 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
UTIC
UNDEVELOPED
TOWN CENTER

ADJACENT LAND USE
UTIC
UNDEVELOPED
TOWN CENTER

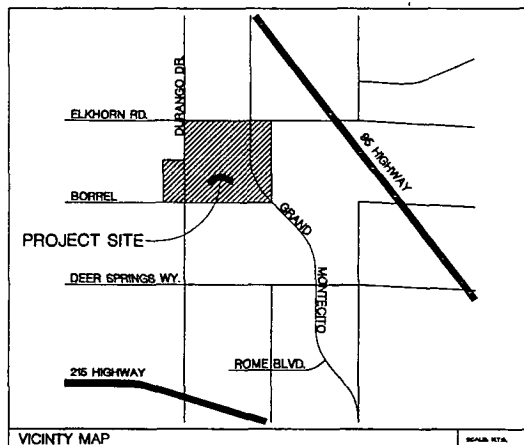
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
 LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
 BUILDING AREA • 587,750 SF
 LAND/BUILDING RATIO • 18/1 35.6%
 PARKING REQUIRED • 2,392 STALLS
 PARKING PROVIDED • 2,470 STALLS
 PARKING RATIO • 4.2/1000
 PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (161,840 SF) • 1 STALL/250 SF = 728 STALLS
 RESTAURANT (34,370 SF) • 1 STALL/100 SF = 344 STALLS
 MARKET (56,840 SF) • 1 STALL/250 SF = 227 STALLS
 PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
 OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
 CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
 • 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
 AUTO REPAIR (8,500 SF) • 1 STALL/200 SF = 5 STALLS + 48 STALLS
 AUTO LUBE (2,000 SF) • 3 BAYS, 8 EMP • 1 STALL/BAY + 1 STALL/EMP • 9 STALLS
 BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

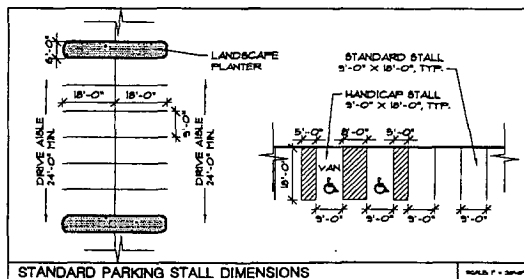
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
 OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • 242,680 SF
 LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3000 Howard Hughes Pkwy
 Suite 400
 Las Vegas, NV 89109
 702-462-6200
 702-462-6514 fax

www.parkovitz.com

Corporate Office
 Long Beach, CA

Regional Office
 Newport Beach, CA
 Portland, OR

Client Information

MONTECITO
 COMPANIES

Parkovitz-Roth
 ARCHITECTS

5514 Durango Drive • Bloomington, IL 61704

MONTECITO MARKETPLACE
 Las Vegas, NV

Revisions

Date 01/27/04
 Drawn By mt
 Checked By mt
 Project No. 03-4321
 File Name 0304320604.dwg
 Scale 1" = 80'

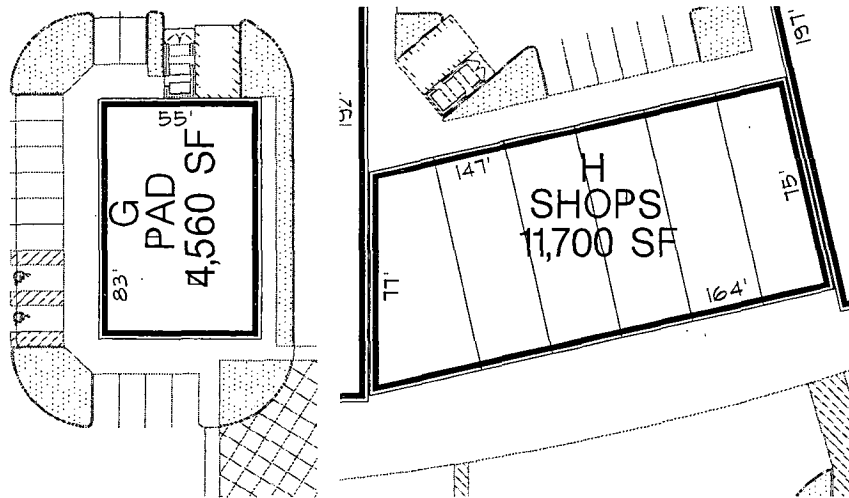
N
 0 40 80 160

Site Plan
 SA-1

SUP-3781

03-11-04 PC

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
 Drawing Number: 03-4321-01-01 (03-11-04) (03-11-04)
 Date: 03-11-04

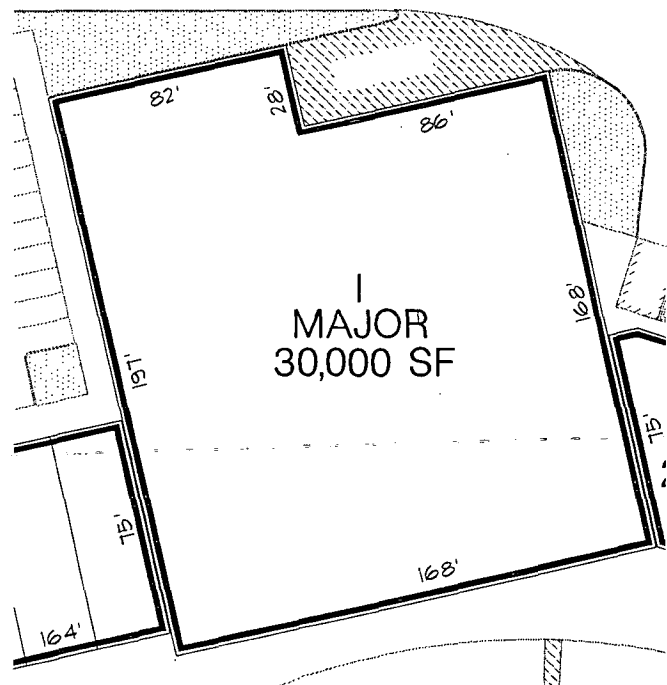


BUILDING 'G' AND 'H'



DATE: 01/21/04
SCALE: 1" = 30'-0"

G&H

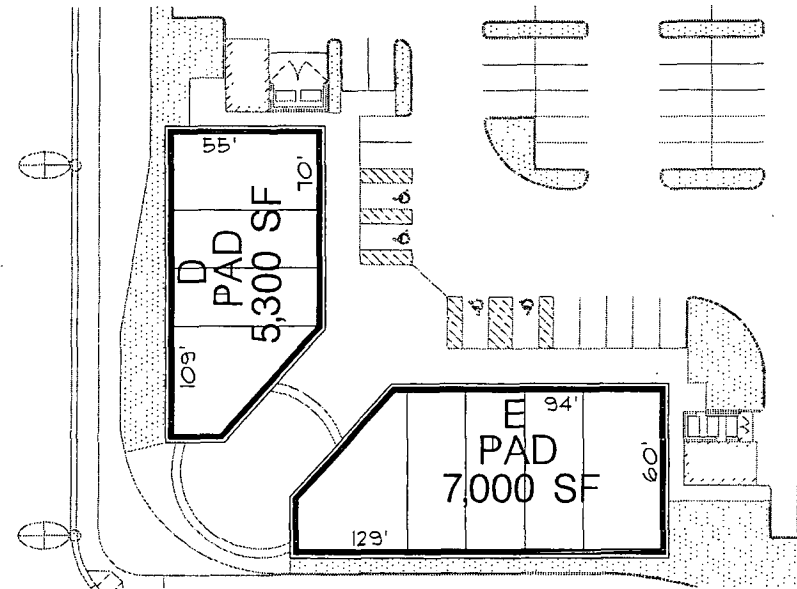


BUILDING 'I'



DATE: 01/21/04
SCALE: 1" = 30'-0"

I

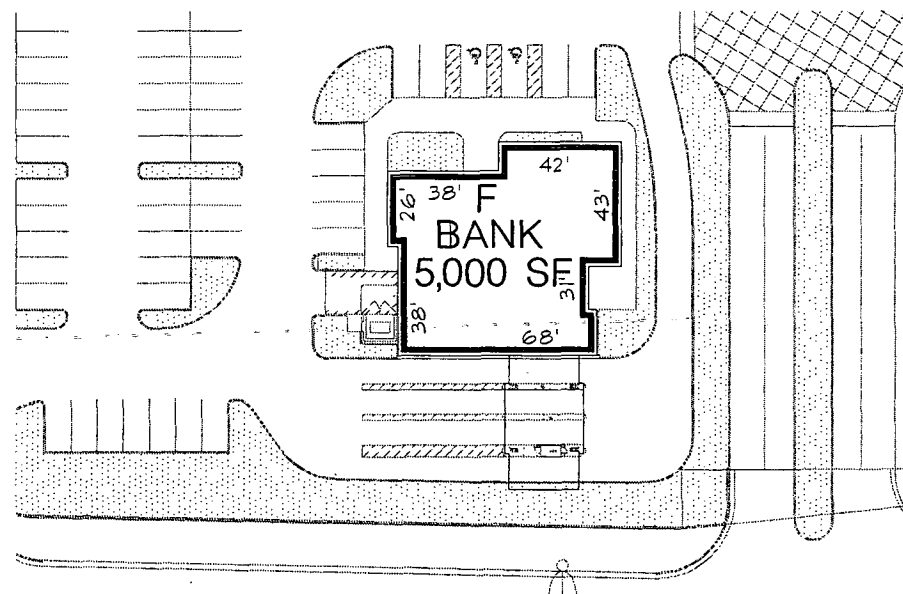


BUILDINGS 'D' AND 'E'



DATE: 01/21/04
SCALE: 1" = 30'-0"

D&E



BUILDING 'F'



DATE: 01/21/04
SCALE: 1" = 30'-0"

F



3980 Howard Hughes Pkwy
Suite 450
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702-452-4320
702-452-8578 fax

www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perrow & Ruhl
ARCHITECTS

850 Alameda Drive, 4th Floor
San Francisco, CA 94103

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/21/04
Drawn By: rnk
Checked By: rnk
Project No: 03-452.1
File Name: 0304520304.dwg
Scale: 1" = 30'-0"

North Arrow
Scale: 1" = 30'-0"
0 1 2

Floor Plans
FL-2

SUP-3781

03-11-04 PC



SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3781 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780 AND SUP-3781 - PUBLIC HEARING - **SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR LIQUOR SALES on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

- | | |
|---------------------|---|
| Item 125 [ZON-3840] | Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements |
| Item 135 [SUP-3778] | Deletion of Condition 7 |

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 139 – SUP-3783

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

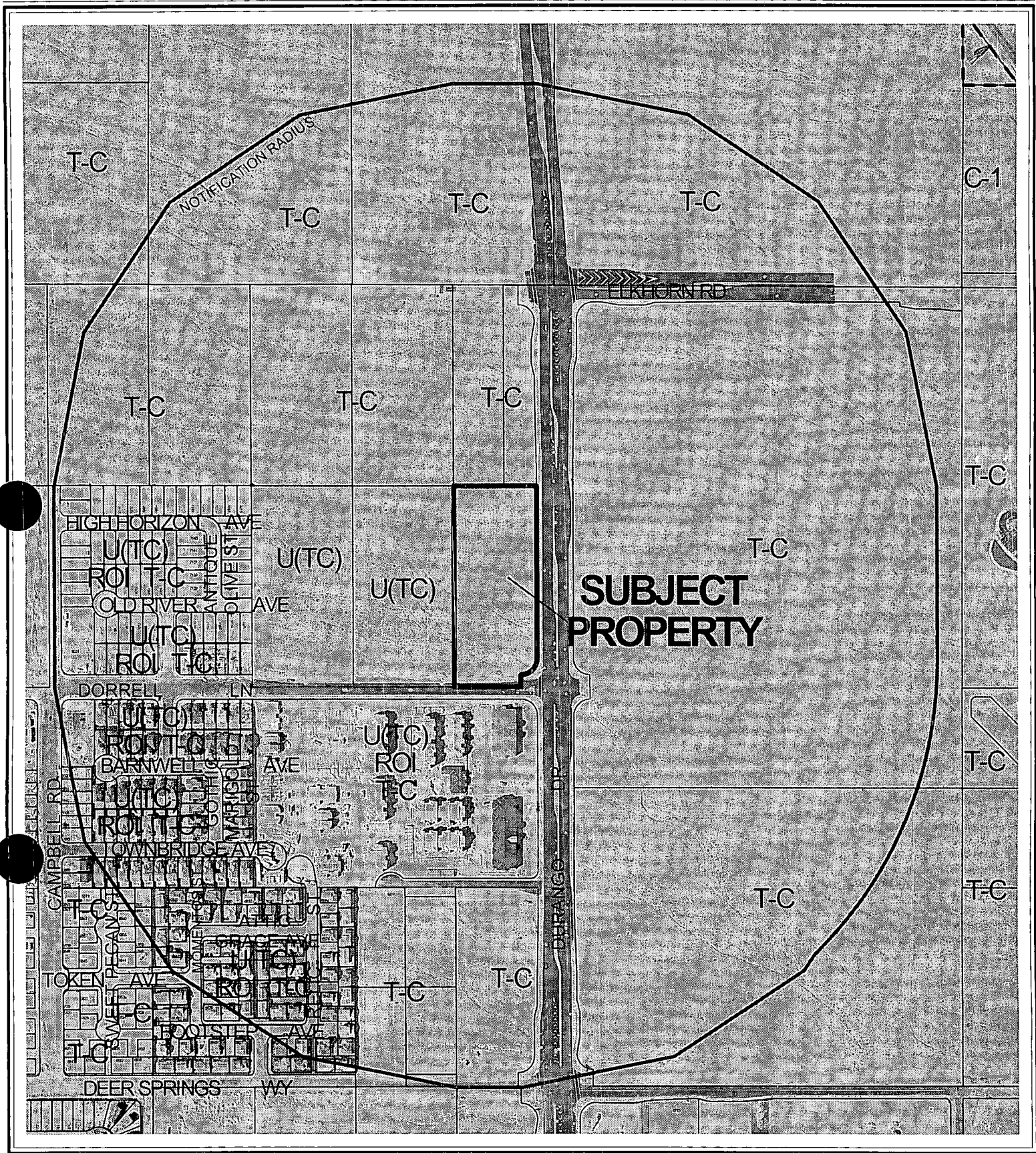
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3783

RADIUS: 1500 FT

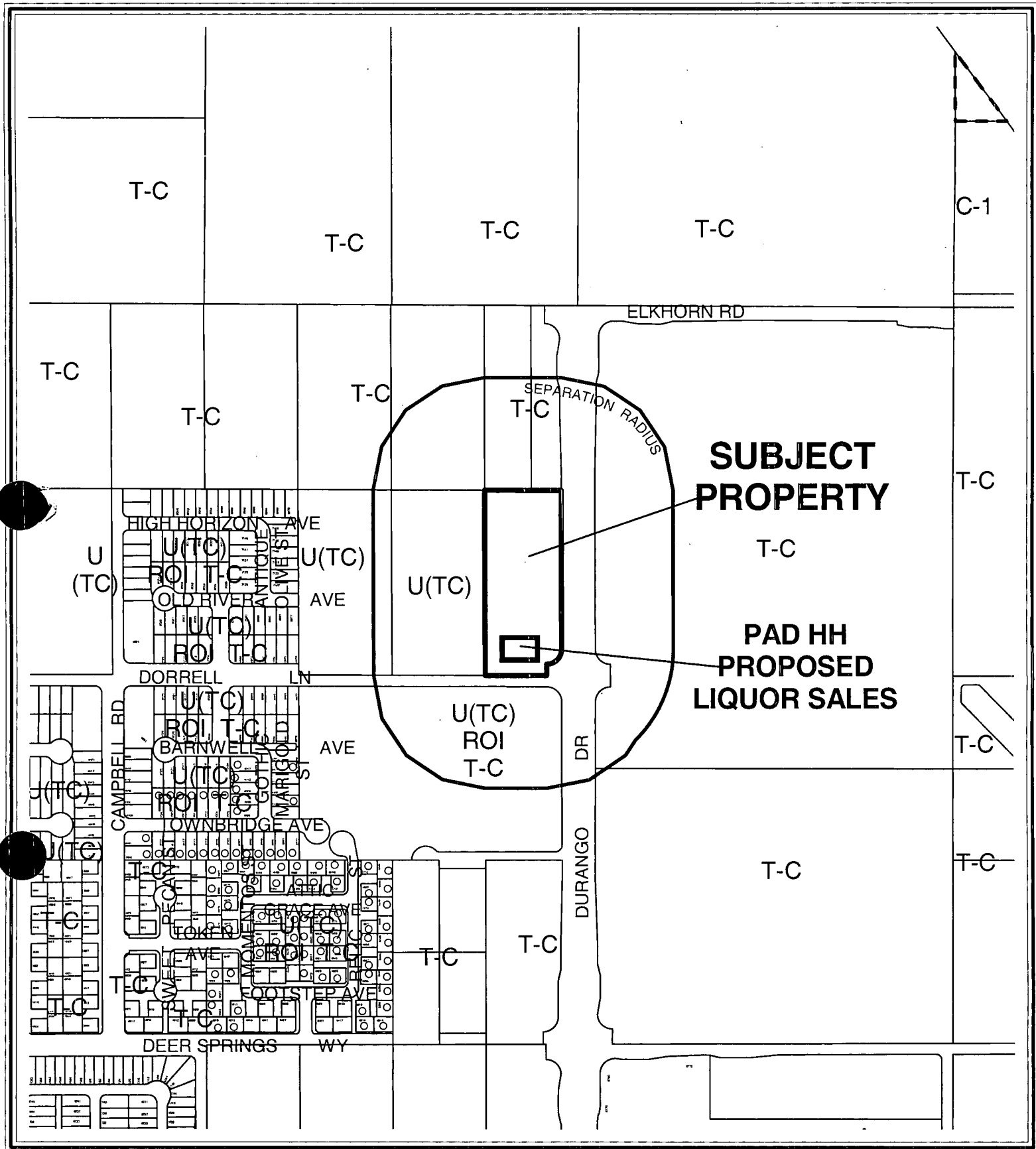
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet





CASE: SUP-3783

SEPARATION RADIUS: 400 FT

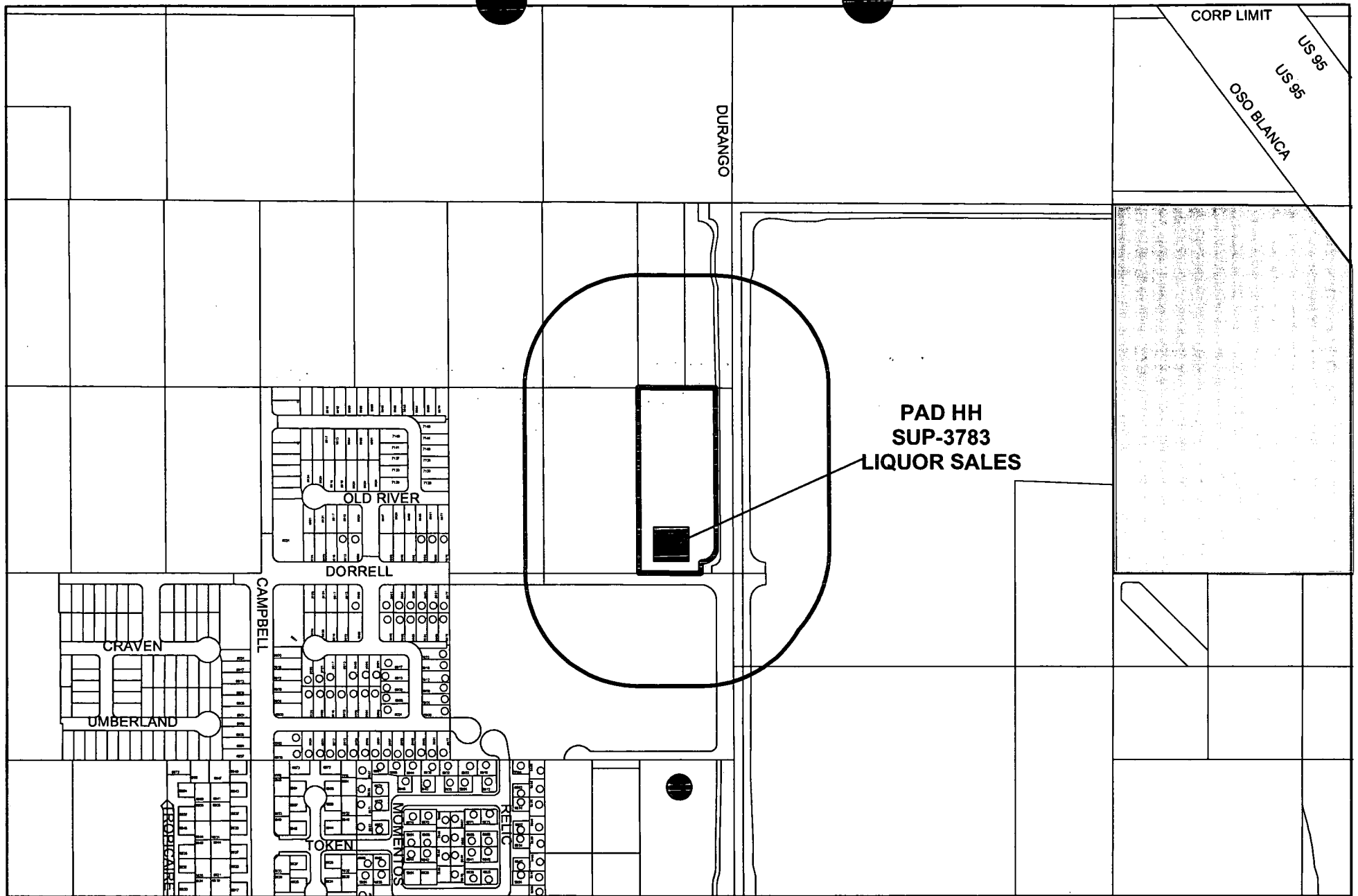
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet





SUP-3783

Protected Landuses



Business Licenses



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3783 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Liquor Sales use on Pad HH, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will be located within and as part of a 15,000 square-foot Drug Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #36).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
 T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Liquor Sales use. Since the proposed Liquor Sales use is ancillary to the principal Drug Store use on Pad HH, it will not generate additional parking to that which would be required for the Drug Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Commercial, Other than Listed	15,000 s.f.	1 space/250 s.f. of GFA	60 spaces	3 spaces	60 spaces (2,470 spaces provided overall)	4 spaces

The project will meet or exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Liquor Sales uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, that require a 400-foot separation distance between Alcoholic Beverage Sales/Liquor Store uses and any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line. The Montecito Marketplace project, if fully approved as requested, will contain three Liquor Sales uses and two Taverns on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Liquor Sales use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Liquor Sales" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Liquor Sales" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require an "Alcoholic Beverage Sales/Liquor Store" to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Liquor Sales use, other than it will be ancillary to the principal Drug Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards require a Alcoholic Beverage Sales/Liquor Store use to be a minimum of 400 feet from any church, synagogue, school, childcare facility licensed for more than twelve children or City Park, as measured from property line to property line, the Montecito Development Agreement has no such restriction for a Liquor Sales use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no identified sensitive uses within 400 feet of the subject parcel. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Liquor Sales use.

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.”**

Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Liquor Sales use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

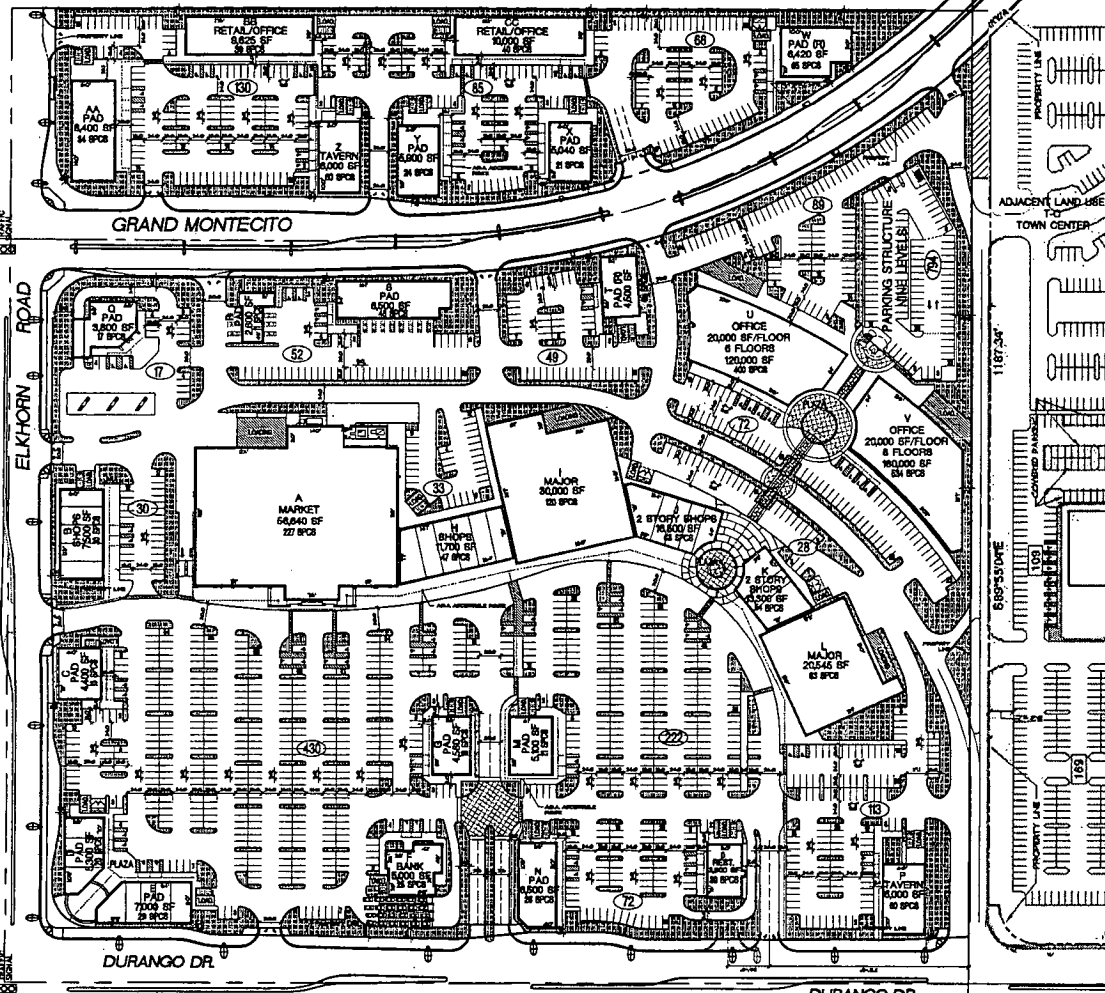
NOTICES MAILED 157 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



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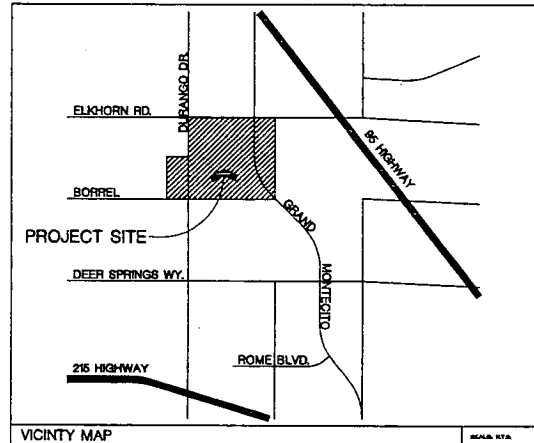
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1986,391 SF±)
 LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
 BUILDING AREA • 587,750 SF
 LAND/BUILDING RATIO • 18/1 35.6%
 PARKING REQUIRED • 2,392 STALLS
 PARKING PROVIDED • 2,470 STALLS
 PARKING RATIO • 4.2/1000
 PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
 RESTAURANT (34,570 SF) • 1 STALL/100 SF = 344 STALLS
 MARKET (58,640 SF) • 1 STALL/250 SF = 235 STALLS
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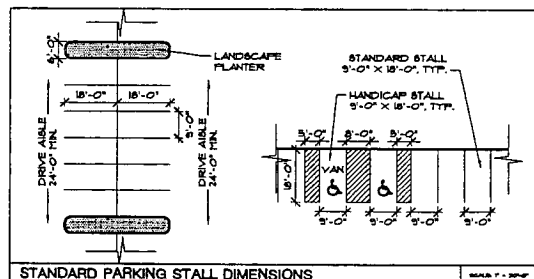
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
 OPEN SPACE/LAND RATIO • 28/1 26.7% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • 242,680 SF
 LANDSCAPE/LAND RATIO • 57/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

P

3580 Howard Hughes Pkwy
 Suite 400
 Las Vegas, NV 89169
 702-882-8200
 702-882-8511 fax

www.parkovitz.com

Corporate Office
 Long Beach, CA

Regional Office
 Newport Beach, CA
 Washington, DC
 Portland, OR

Client Information

MONTECITO
 COMPANIES

MONTECITO MARKETPLACE
 Las Vegas, NV

Parkovitz-Roth
 ARCHITECTS
 550 J Durango Drive • Bloomfield
 Las Vegas, NV 89169

Revisions

Date: 01/21/04
 Drawn By: mk
 Checked By: ml
 Project No.: 03-4321
 File Name: 03432104.dwg
 Scale: 1" = 80'

N
 0 40 80 120

Site Plan
 SA-1

SUP-3783
 03-11-04 PC

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONSIDERED BY NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
 Drawing owner: 100% Single-Owner Responsibility.
 Date: 03/11/04. All rights reserved.

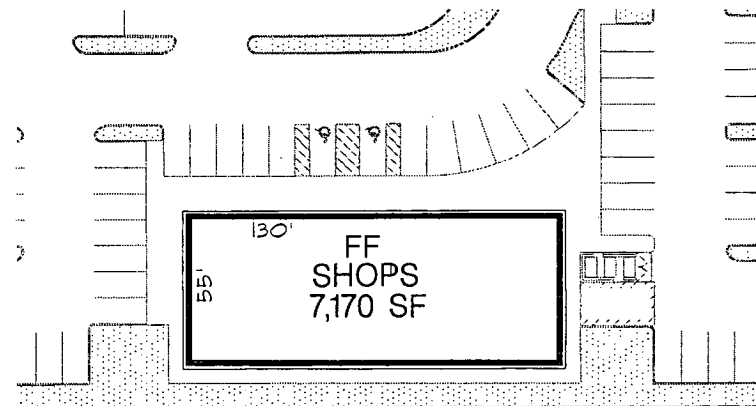


BUILDING "HH"



DATE: 01/21/04
SCALE: 1" = 30'-0"

HH

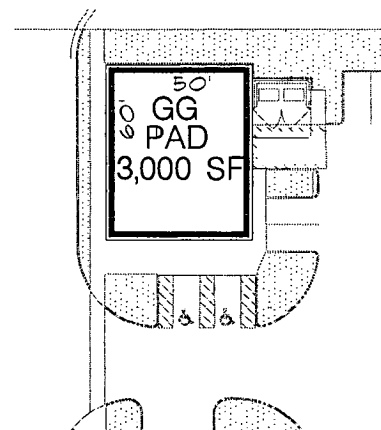


BUILDING "FF"



DATE: 01/21/04
SCALE: 1" = 30'-0"

FF



BUILDING "GG"



DATE: 01/21/04
SCALE: 1" = 30'-0"

GG



3080 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
702-432-4500
702-432-4510 fax
www.prarchitects.com

Corporate Office:
Long Beach, CA
Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz-Ruth
ARCHITECTS

650 Alamo Drive • El Paso, TX

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/27/04
Drawn By: rk
Checked By: rk
Project No.: 03-432.1
File Name: 03030707.dwg
Scale: 1" = 30'-0"

N
Scale and North
Arrow as Noted
0 1 2
SCALE

Floor Plans
FL-7

SUP-3783

03-11-04 PC



SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3783 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781 AND SUP-3783 - PUBLIC HEARING - **SUP-3785** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR GAMING (INCIDENTAL) on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK - APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 140 – SUP-3785

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

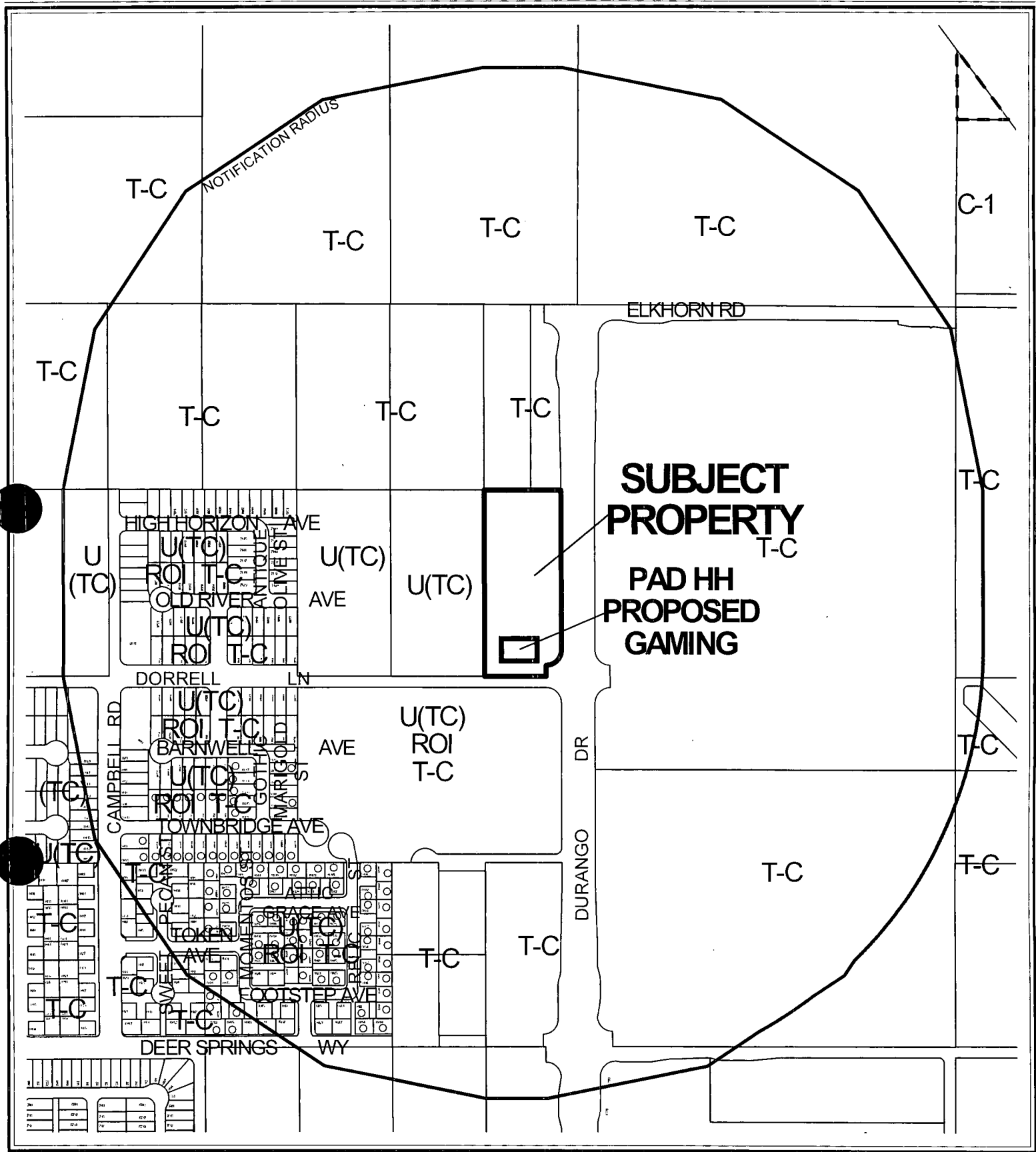
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3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3785

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

140



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3785 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Gaming (Incidental) use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
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4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Gaming (Incidental) use on Pad HH, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will be located within and as part of a 15,000 square-foot Drug Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 03/11/04 The Planning Commission will concurrently consider a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #37/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Gaming (Incidental) use. Since the proposed Gaming (Incidental) use is ancillary to the principal Drug Store use on Pad HH, it will not generate additional parking to that which would be required for the Drug Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Commercial, Other than Listed	15,000 s.f.	1 space/250 s.f. of GFA	60 spaces	3 spaces	60 spaces (2,470 spaces provided overall)	4 spaces

The project will meet or exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Gaming (Incidental) uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, that require a 330-foot separation distance between "Gaming (Restricted)" uses and any single-family detached dwelling. The Montecito Marketplace project, if fully approved as requested, will contain five Gaming (Incidental) uses on the overall 45.6-acre site.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Gaming (Incidental) use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Gaming (Incidental)" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would require a "Gaming (Restricted)" use to be a minimum of 330 feet from any single-family dwelling, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Gaming (Incidental) use, other than it will be ancillary to the principal Drug Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards require a Gaming (Restricted) use to be a minimum of 330 feet from any single-family residential dwelling, the Montecito Development Agreement has no such restriction for a Gaming (Incidental) use. In this case, this use would meet the minimum Town Center distance separation requirements, if they were applicable, as there are no single-family homes within 330 of the subject parcel. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Gaming (Incidental) use.

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.”**

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The proposed Gaming (Incidental) use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 157 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

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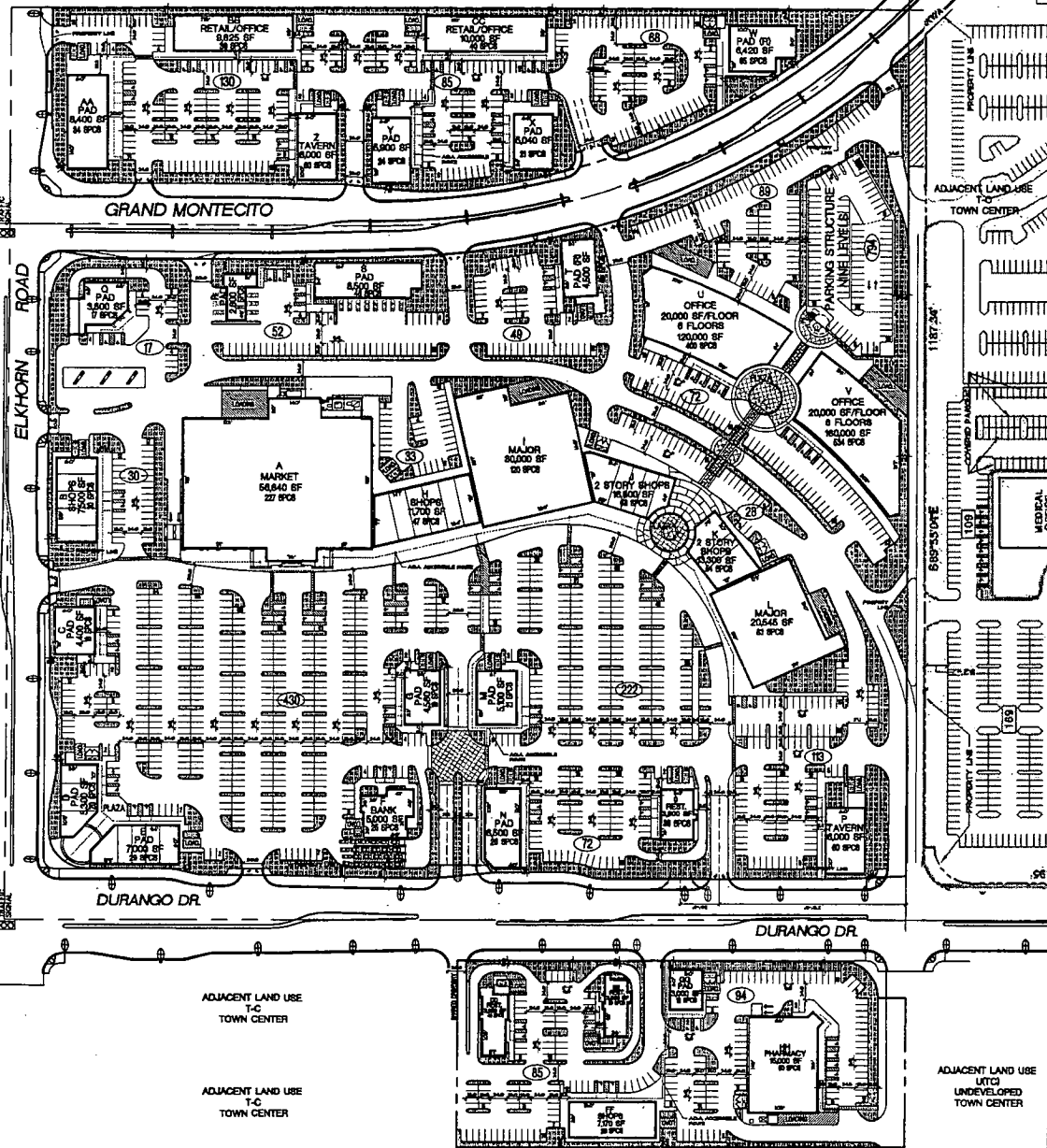
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TOWN CENTER

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF
A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE
AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
Survey done by SCS Planning & Design, Inc.
Date: 03-11-04



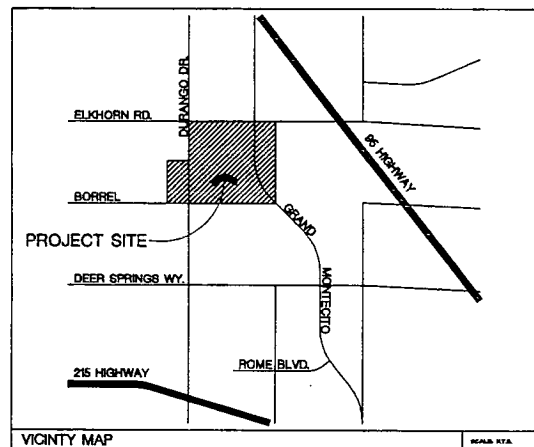
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BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

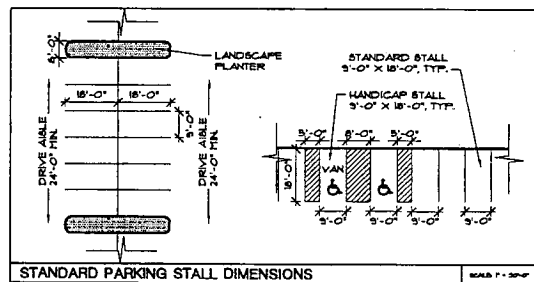
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 28/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

3880 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89103
702-882-8500
702-882-8504 fax

www.parkcity.com

Corporate Office
Long Beach, CA

Regional Office
Newport Beach, CA
Portland, OR

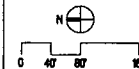
Client Information

MONTECITO
COMPANIES

Perkowitz + Roth
ARCHITECTS
655 of Durango Drive • Stearns Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

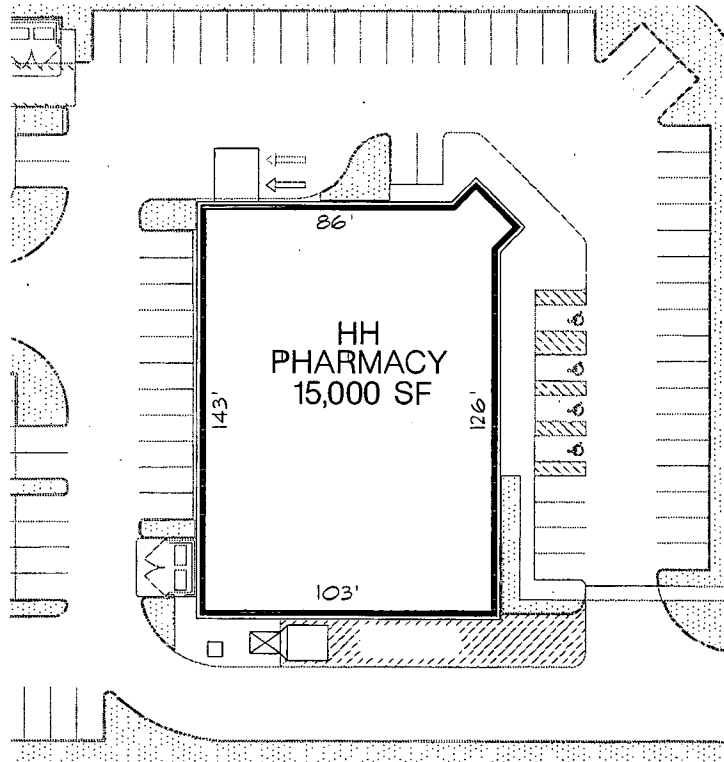
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Checked By: mtk
Project No.: 03-4223
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Site Plan
SA-1

SUP-3785

03-11-04 PC



BUILDING 'HH'



DATE: 01/27/04
SCALE: 1" = 30'-0"

HH

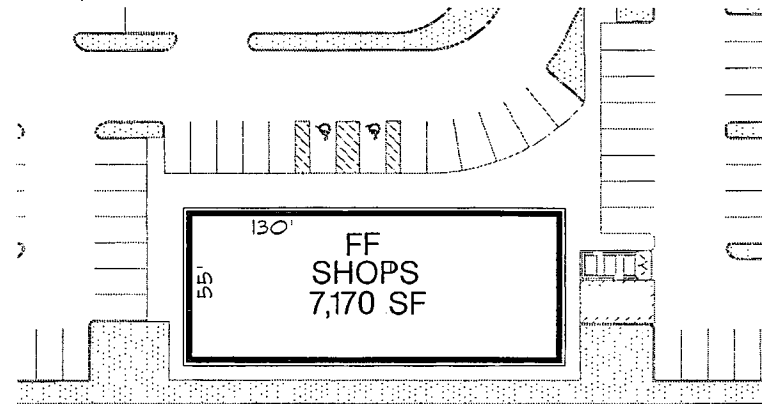
SUP-3785

BUILDING 'GG'



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GG

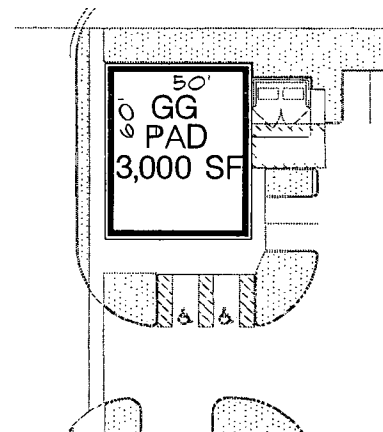


BUILDING 'FF'



DATE: 01/27/04
SCALE: 1" = 30'-0"

FF



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Las Vegas, NV 89103
702-482-4500
702-482-4511 fax
www.prarchitects.com

Corporate Office:
Long Beach, CA

Regional Office:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz+Ruuh
ARCHITECTS
SEC of Dunsmuir Blvd + Elbow Road
MONTECITO MARKETPLACE
Las Vegas, NV

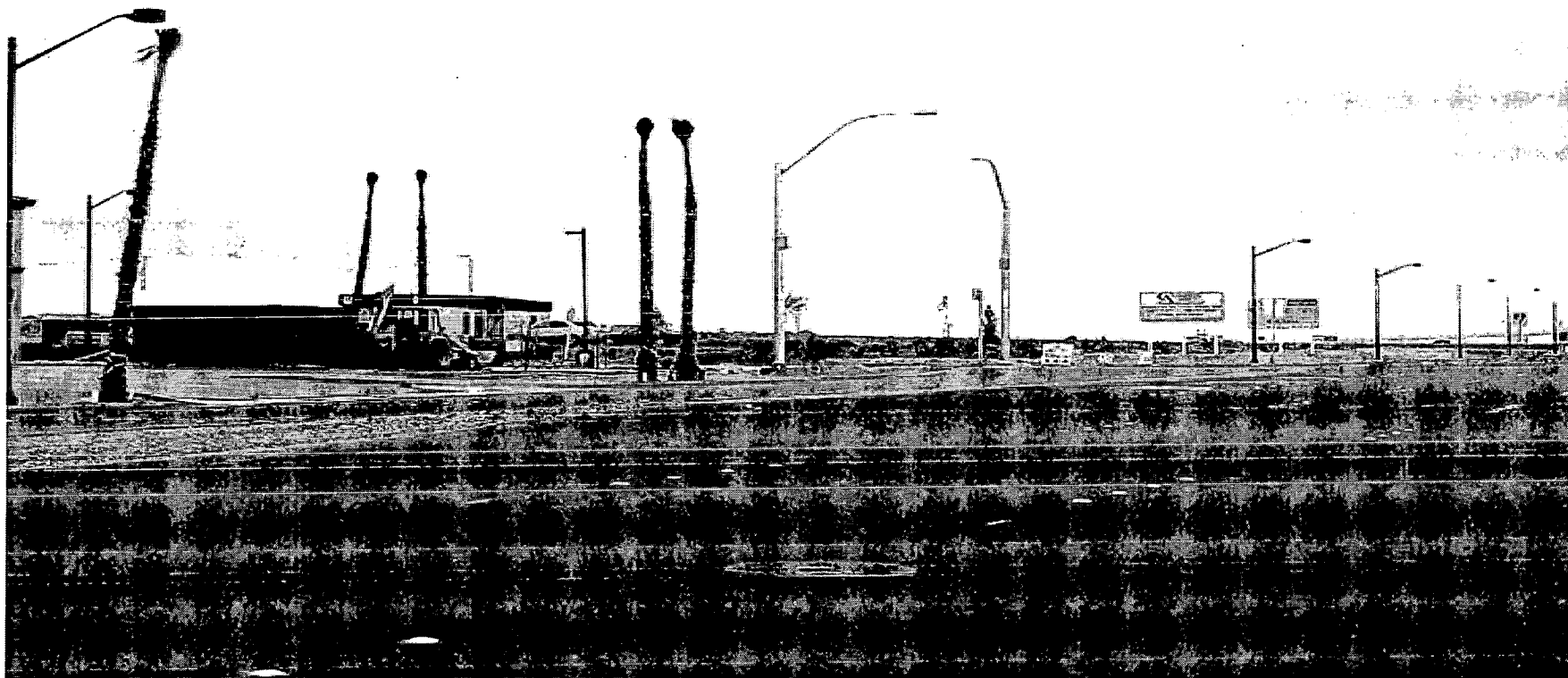
Revisions

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Drawn By: rk
Checked By: nj
Project No: 03-432.11
File Name: D00953207.dwg
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Floor Plans
FL-7

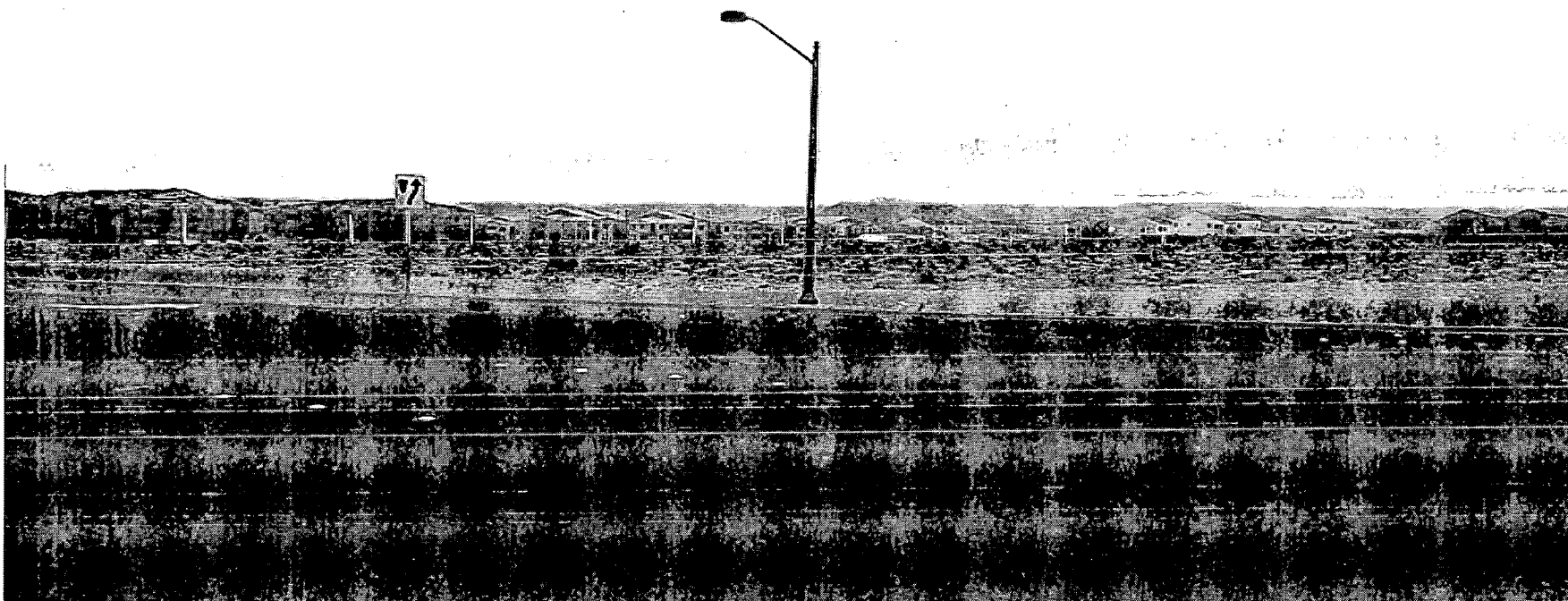
03-11-04 PC



SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3785 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783 AND SUP-3785 - PUBLIC HEARING - **SUP-3786** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad HH of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 141 – SUP-3786

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

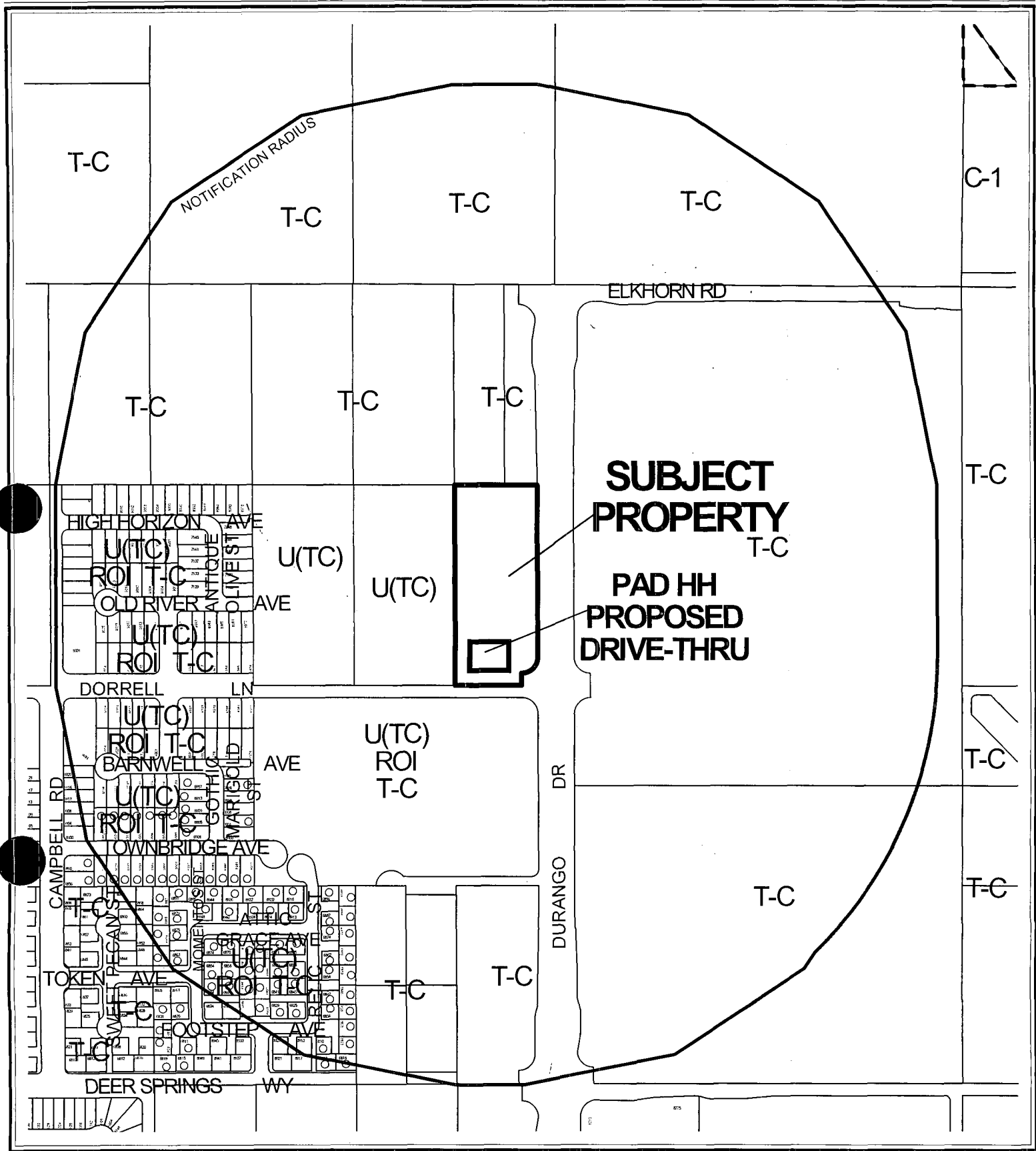
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3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3786

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

141



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3786 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad HH, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will be part of a 15,000 square-foot Drug Store on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #38).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant the companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Drug Store use on Pad HH, it will not generate additional parking to that which would be required for the Drug Store use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Commercial, Other than Listed	15,000 s.f.	1 space/250 s.f. of GFA	60 spaces	3 spaces	60 spaces (2,470 spaces provided overall)	4 spaces

The project will meet or exceed the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Manual is silent with respect to Drive-Through Facilities for Drug Stores. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site, including three on this five-acre parcel.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Drive-Through Facility use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Drive-through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC special land use designation, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Drug Store use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC special land use designation, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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.”**

Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

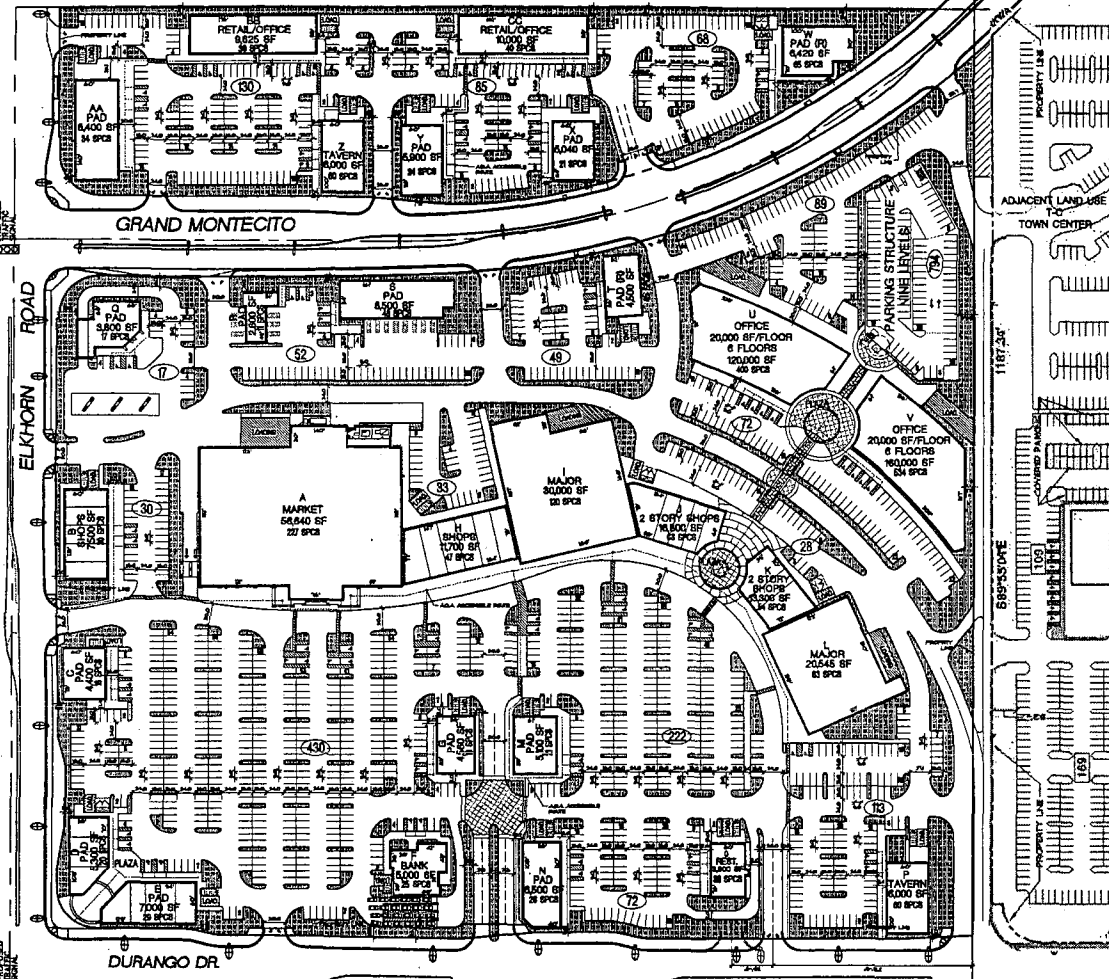
NOTICES MAILED 157 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER



ADJACENT LAND USE
T-C
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ADJACENT LAND USE
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ADJACENT LAND USE
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UNDEVELOPED
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TOWN CENTER

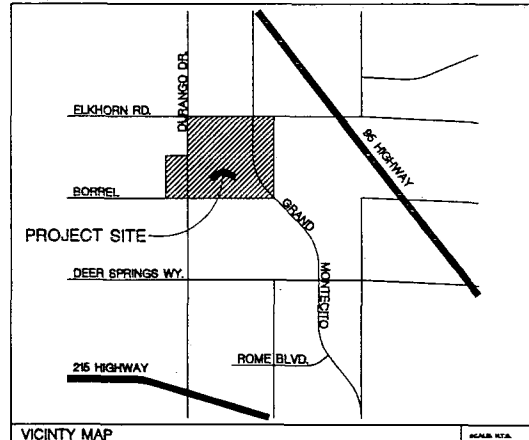
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 18/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 4.2/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,570 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (58,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/500 SF = 560 STALLS
CONVENIENCE STORE W/ SELF-SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF = 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (6,500 SF) • 1 STALL/200 SF = 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

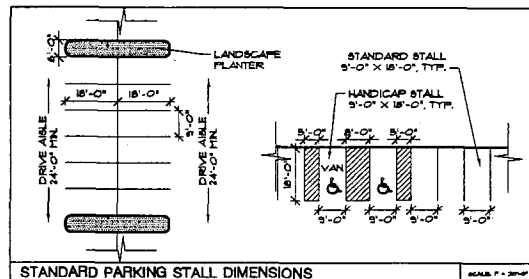
SUMMARY / PARKING ANALYSIS / F.A.R.

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS



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COMPANIES

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Las Vegas, NV 89169
702-462-4500
702-462-4514 fax

Revisions

Date: 01/27/04
Drawn By: mk
Checked By: nj
Project No.: 03-43211
File Name: 030403040404
Scale: 1" = 80'

0 40 80 160
N

Site Plan
SA-1

SUP-3786

03-11-04 PC

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF
A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE
AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION
WITHOUT THE APPROVAL OF THE CITY OF LAS VEGAS.

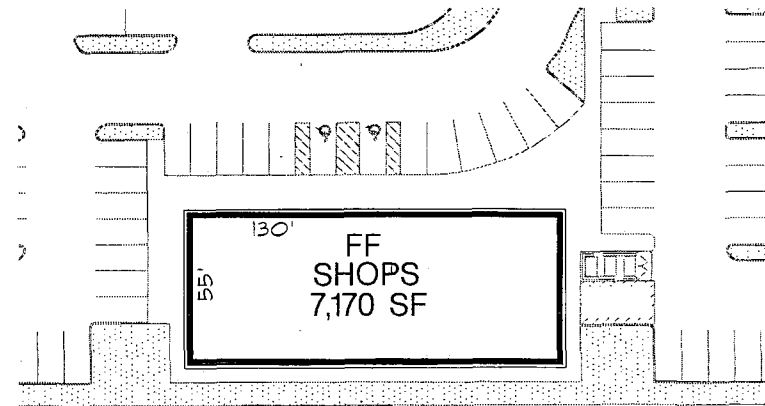


BUILDING "HH"



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HH

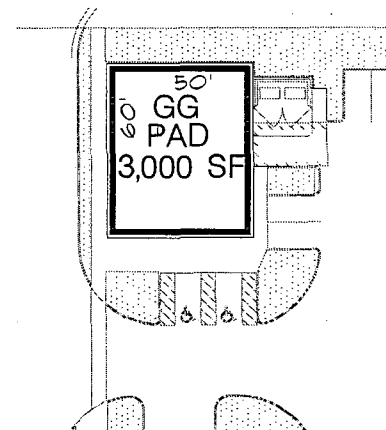


BUILDING "FF"



DATE: 01/23/04
SCALE: 1" = 30'-0"

FF



BUILDING "GG"



DATE: 01/23/04
SCALE: 1" = 30'-0"

GG



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Portland, OR

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COMPANIES

Perkowitz + Roth
ARCHITECTS
550 Alhambra Blvd - Elmont Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

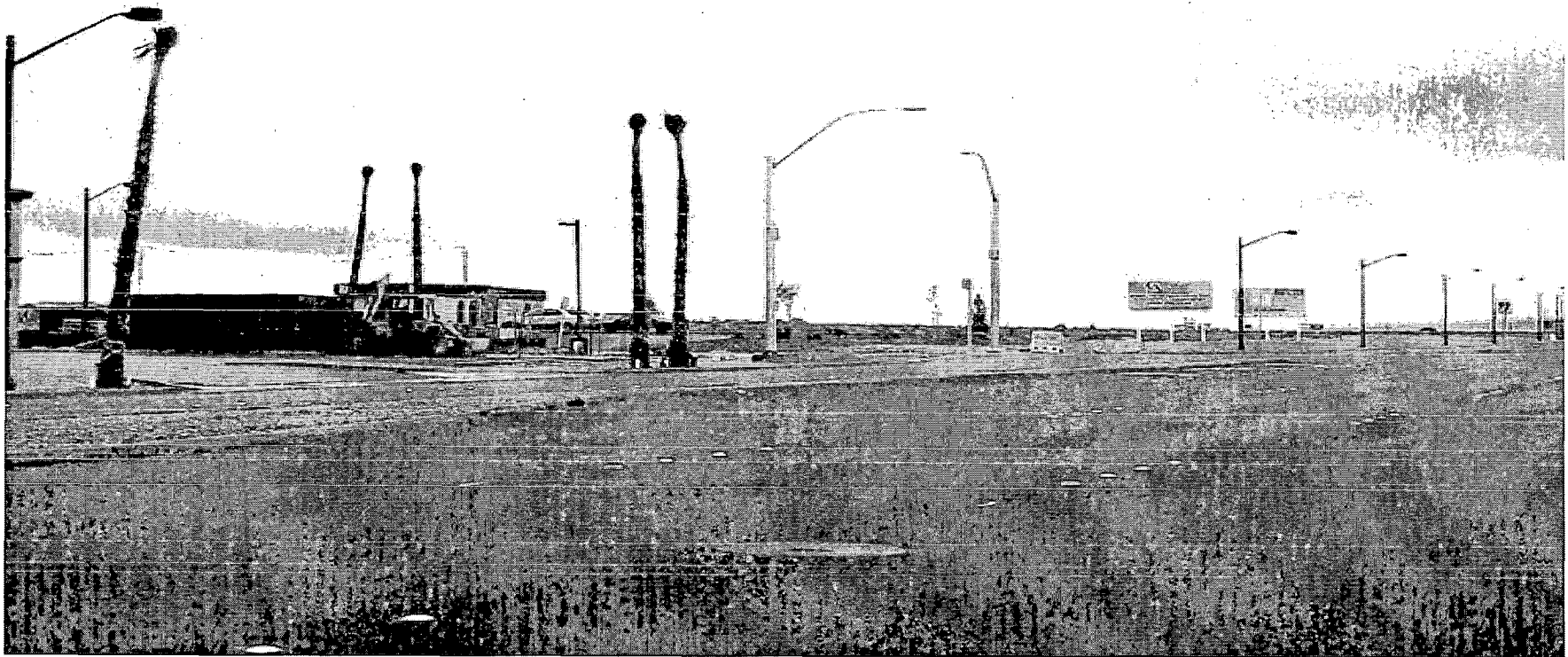
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N
Scale and North
Orientation as Noted
0 1 2
SCALE

Floor Plans
FL-7

SUP-3786

03-11-04 PC



SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3786 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785 AND SUP-3786 - PUBLIC HEARING - SUP-3788 - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad DD of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 142 – SUP-3788

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

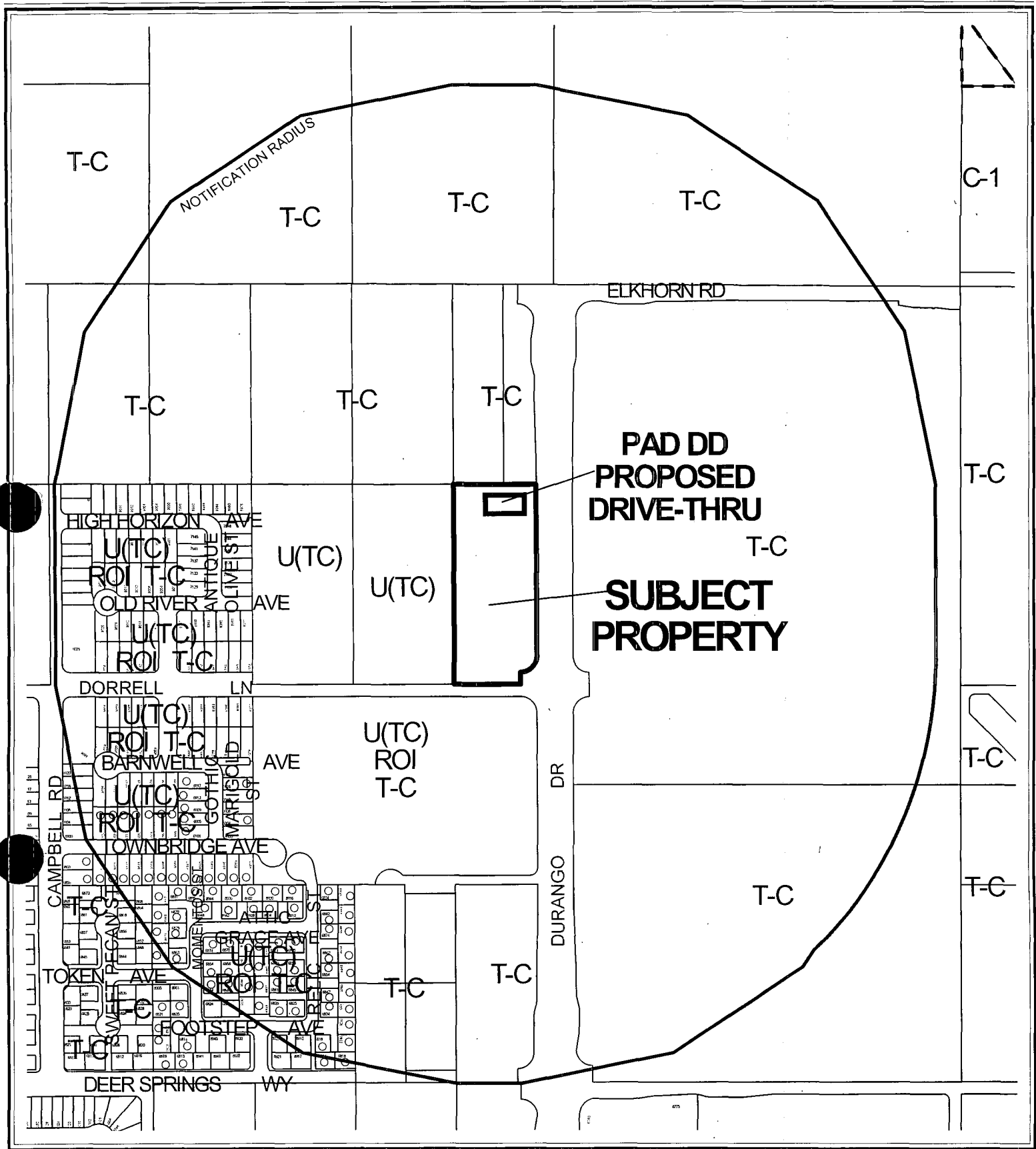
(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3788

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet

142

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3788 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

*** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad DD, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will be part of a 3,950 square-foot Restaurant on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #39/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Restaurant use on Pad DD, it will not generate additional parking to that which would be required for the Restaurant use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Restaurant, with drive- up/drive-thru facilities	3,950 s.f.	1 space/100 s.f. of GFA, including outdoor seating and 1 lane/drive- up window with stacking for six	40 spaces	2 spaces	40 spaces (2,470 spaces provided overall) Provided	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site, including three on this five-acre parcel.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Drive-Through Facility use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC special land use designation, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Restaurant use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

FINDINGS

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."**

Although the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC special land use designation, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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."**

Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed 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."**

The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 157 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3788 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: **MTC-118, Inc**

Name of Applicant: **Montecito Companies, LLC**

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: 

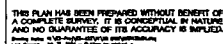
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State





LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,500 SF
LAND/BUILDING RATIO • 18/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 4.2/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (181,840 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,370 SF) • 1 STALL/300 SF = 344 STALLS
MARKET (56,640 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (15,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (280,000 SF) • 1 STALL/300 SF = 934 STALLS
CONVENIENCE STORE W/ SELF SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF ÷ 2 STALLS PER CARWASH BAY = 17 STALLS
AUTO REPAIR (8,500 SF) • 1 STALL/200 SF ÷ 5 STALLS = 48 STALLS
AUTO LUBE (2,600 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY ÷ 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

OPEN SPACE AREA PROVIDED - 439,740 SF
OPEN SPACE/LAND RATIO - 2.8/1 26.7% (INCL LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED - 242,680 SF
LANDSCAPE/LAND RATIO - 5.7/1 14.7% LANDSCAPE COVERAGE

VICINITY MAP

85 HIGHWAY

ELKHORN RD.

DURANGO DR.

BORREL

PROJECT SITE

DEER SPRINGS WY.

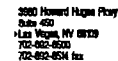
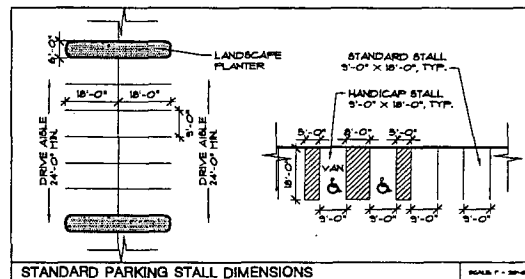
GRAND

MONTICITO

ROME BLVD.

215 HIGHWAY

SCALE: NTA



Corporate Office
Lynn Beach, CA

Regional Office
Newport Beach
Washington, DC
Portland, OR

MONTECITO
COMPANIES

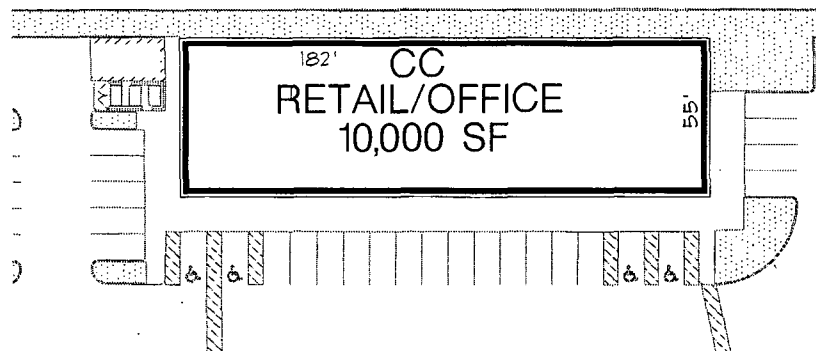
Center of Dimensions (Notes & Electronic Board)

SEC of Durango Office • Elbert Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revision

Date	6/27/04
Drawn By	mk
Checked By	raj
Project No.	03-43211
File Name	D034321104.dwg
Scale	T = NT

Site Plan
SA-1

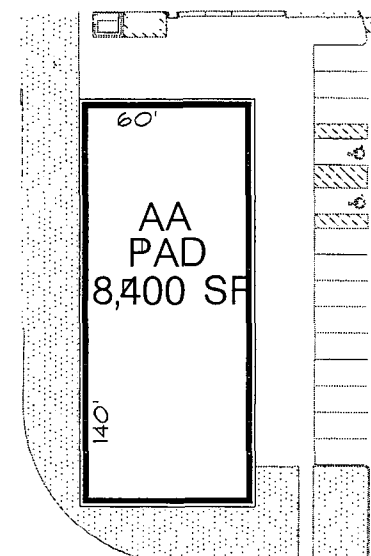


BUILDING "CC"



DATE: 01/21/04
SCALE: 1" = 30'-0"

CC

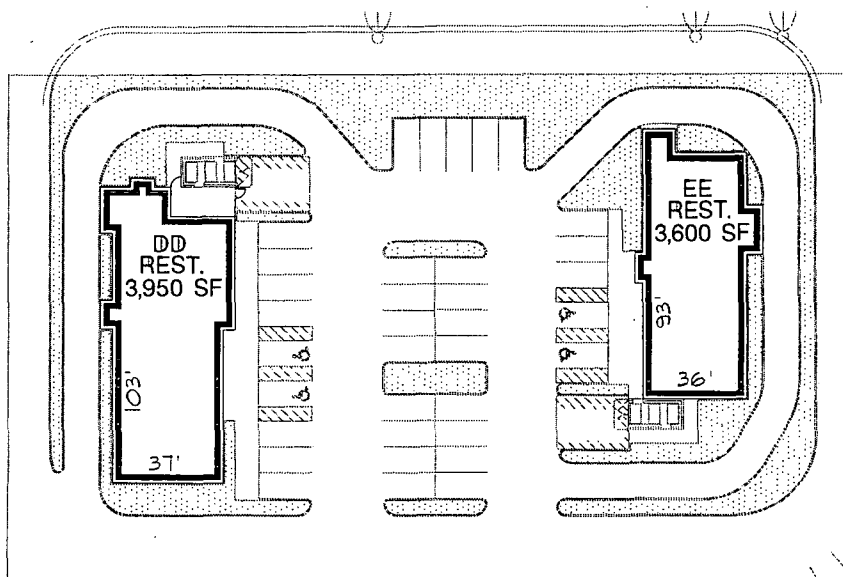


BUILDING "AA"



DATE: 01/21/04
SCALE: 1" = 30'-0"

AA

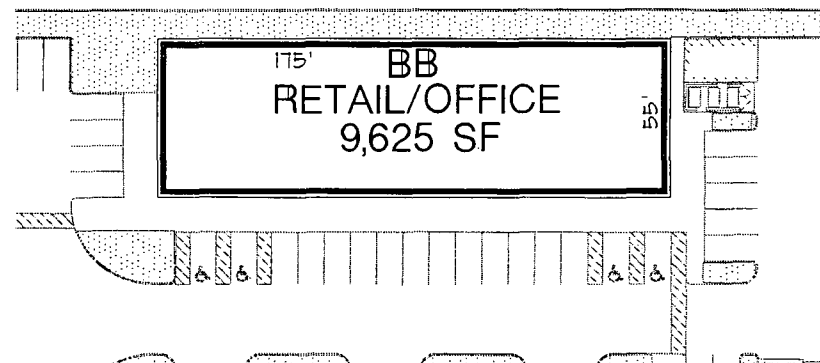


BUILDINGS "DD" & "EE"



DATE: 01/21/04
SCALE: 1" = 30'-0"

DD & EE



BUILDING "BB"



DATE: 01/21/04
SCALE: 1" = 30'-0"

BB



3000 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-852-8500
702-852-8510 fax

www.parkviewproperties.com

Corporate Office
Long Beach, CA

Regional Office
Hempstead Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Parkview Properties
ARCHITECT
8500 Alhambra Drive • Elburn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/21/04
Drawn By: mk
Checked By: mk
Project No.: 03-43231
File Name: 030302000.dwg
Scale: 1" = 30'-0"

North Arrow
Scale and North
Orientation as Noted
SCALE 2X

Floor Plans
FL-6

SUP-3788

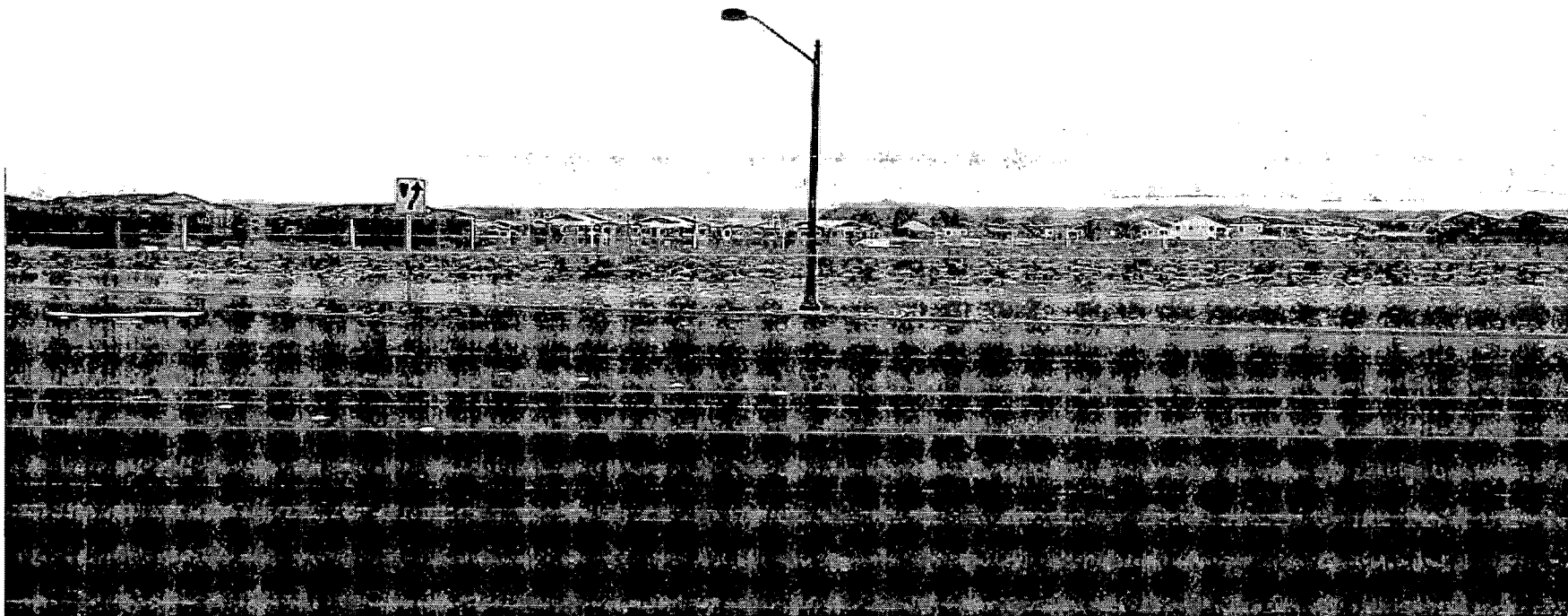
03-11-04 PC



SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3788 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3769, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785, SUP-3786 AND SUP-3788 - PUBLIC HEARING - SUP-3789 - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.** - Request for a Special Use Permit FOR A DRIVE-THROUGH FACILITY on Pad EE of the proposed Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN: 125-20-101-017), U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use – Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

Item 135 [SUP-3778]

Deletion of Condition 7

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 143 – SUP-3789

MOTION – Continued:

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

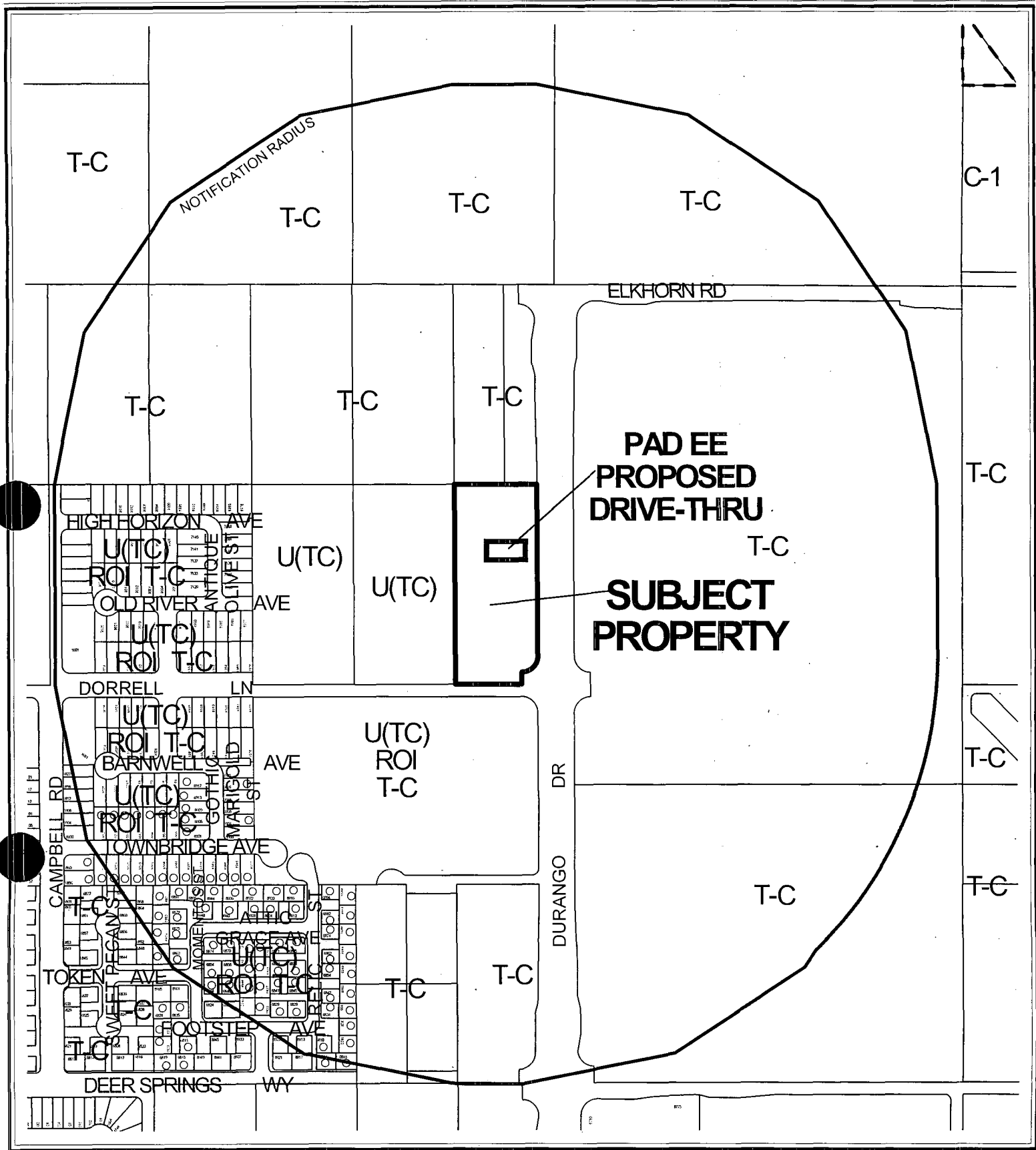
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3-1979

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.



CASE: SUP-3789

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 300 600 Feet



143°



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-3789 - APPLICANT: MONTECITO COMPANIES,
LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Drive-Through Facility use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review [SDR-3764].
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5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit to allow a Drive-Through Facility on Pad EE, on the separate five-acre portion of the proposed 45.6-acre Montecito Marketplace commercial development, adjacent to the northwest corner of Durango Drive and Dorrell Lane. This use will be part of a 3,600 square-foot Restaurant on the subject site.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.
- 10/16/03 The Director of the Planning and Development Department authorized a "Non-Material Modification" to the Montecito Town Center Development Agreement, pursuant to Section 4.6 of the Agreement, to add "Drive-Through Facility" to the list of Permissible Uses in Section 2.3 of the Agreement, subject to the approval of a Special Use Permit.
- 03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Site Development Plan Review (SDR-3764) for a 587,750 square-foot mixed-use commercial development, including the subject site, and a number of Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive- Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #40/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.0

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)
East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the subject site on the Centennial Hills Sector Plan map is TC (Town Center). The proposed use is not referenced at this broad policy level. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if a companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement. There are no specific conditions provided in the Development Agreement to evaluate the suitability of such a use.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Town Center	X	
Development Agreement	X	
Special Overlay District		X
Trails	X	
Study Area		X
Rural Preservation Neighborhood		X
County/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Town Center Development Standards – Although the site falls within the Town Center boundaries, future land use of the site will be governed by the provisions of the Montecito Town Center Development Agreement, if Major Modification (MOD-3763) is approved. These standards differ from the standards of the Town Center Development Standards Manual.

Trails – There are no trails adjacent to the site as identified on Map 2 (Trails) of the Joint Parks and Trails Plan Interlocal Agreement, adopted by the City of Las Vegas on November 20, 2002; however, trails in the Town Center area are supplanted by the sidewalks shown in the street sections in Section C "Circulation", of the Town Center Development Standards Manual.

Durango Drive, on the east boundary of the site that is to be added to the Agreement area, will be developed as a Town Center Parkway Arterial (120 feet), which includes a five-foot amenity zone and a 14.5-foot sidewalk on either side of the street. Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector, which require a five-foot amenity zone and a seven-foot sidewalk on each side of the street. These street section improvements will need to be reflected on any future site plans for the area.

INTERAGENCY ISSUES

This Special Use Permit request did not meet the threshold criteria to be deemed a "Project of Regional Significance", and therefore no Environmental Impact Assessment questionnaire was requested from the applicant. The companion Site Development Plan Review (SDR-3764) seeks approval for a 587,750-square-foot commercial project on 45.6 acres of land, including the site that is the subject of this Special Use Permit request. Due to the potential traffic generation from this project, an Environmental Impact Assessment questionnaire has been requested from the applicant as part of the Site Development Plan Review analysis and will be discussed in the case report for that application.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

The Montecito Town Center Development Agreement does not provide any specific parking standards for the proposed Drive-Through Facility use. Since the proposed Drive-Through Facility use is ancillary to the principal Restaurant use on Pad DD, it will not generate additional parking to that which would be required for the Restaurant use. Since the Agreement has no specific parking standards for these uses, then pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Restaurant, with drive-up/drive-thru facilities	3,600 s.f.	1 space/100 s.f. of GFA, including outdoor seating and 1 lane/drive-up window with stacking for six	36 spaces	2 spaces	36 spaces (2,470 spaces provided overall) Provided	2 spaces

The project will meet the parking requirements of the Zoning Code.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements for Drive-Through Facility uses in the Montecito Town Center Development Agreement, which supercedes the requirements of the Town Center Development Standards Manual, which does not allow Drive-Through Facilities for banks or restaurants in the UC-TC and MS-TC special land use designations, which are the Town Center designations of the subject site. The Montecito Marketplace project, if fully approved as requested, will contain six Drive-Through Facilities on the overall 45.6-acre site, including three on this five-acre parcel.

B) General Analysis and Discussion

- Zoning

The portion of the subject site to be occupied with the proposed use is currently zoned U (Undeveloped) [TC (Town Center) General Plan designation]. A companion Rezoning application (ZON-3840), if approved, will rezone this five-acre parcel to T-C (Town Center). The proposed Drive-Through Facility use is not referenced within the context of this zoning district. The portion of the subject site on which this proposed project would be located will be designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement, if companion Major Modification (MOD-3763) is approved. The proposed "Drive-Through Facility" use is allowed by Special Use Permit, pursuant to Section 2.3 of the Agreement.

- Use

This application requests approval of a "Drive-Through Facility" use, pursuant to the Montecito Town Center Development Agreement. Section 2.3 of the Agreement lists such a use as allowable with the approval of a Special Use Permit. There are no specific conditions listed in the Agreement against which to evaluate the suitability of this request.

Although Town Center Development Standards would prohibit Drive-Through Facility uses within the UC-TC special land use designation, such restrictions are superceded for Town Center lands which fall within the area subject to the Montecito Town Center Development Agreement. As a result, the use appears to be acceptable, given the policies which will apply to the area if the Major Modification is approved.

- Conditions

Under the Montecito Town Center Development Agreement, there are no conditions applicable to the proposed Drive-Through Facility use, other than it will be ancillary to the principal Restaurant use on the pad site. It is recommended that approval of this use be subject to conformance with the conditions of approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-3764).

FINDINGS

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.”**

Although the Town Center Development Standards prohibit Drive-Through Facility uses within the UC-TC special land use designation, the Montecito Development Agreement has no such restriction for a Drive-Through Facility use. The request will conform to the provisions of the Agreement if the companion Major Modification (MOD-3763) is approved.

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

The subject site is level and contains no physical impediments to development. It is physically suitable for the type and intensity of land use as proposed by this Drive-Through Facility use.

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.”**

Durango Drive, on the east boundary of this five-acre portion of the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is shown as an 80-foot Town Center Collector. These streets will have adequate capacity to serve the proposed 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.”**

The proposed Drive-Through Facility use will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 157 by City Clerk

APPROVALS 0

PROTESTS 0

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
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ADJACENT LAND USE
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TOWN CENTER

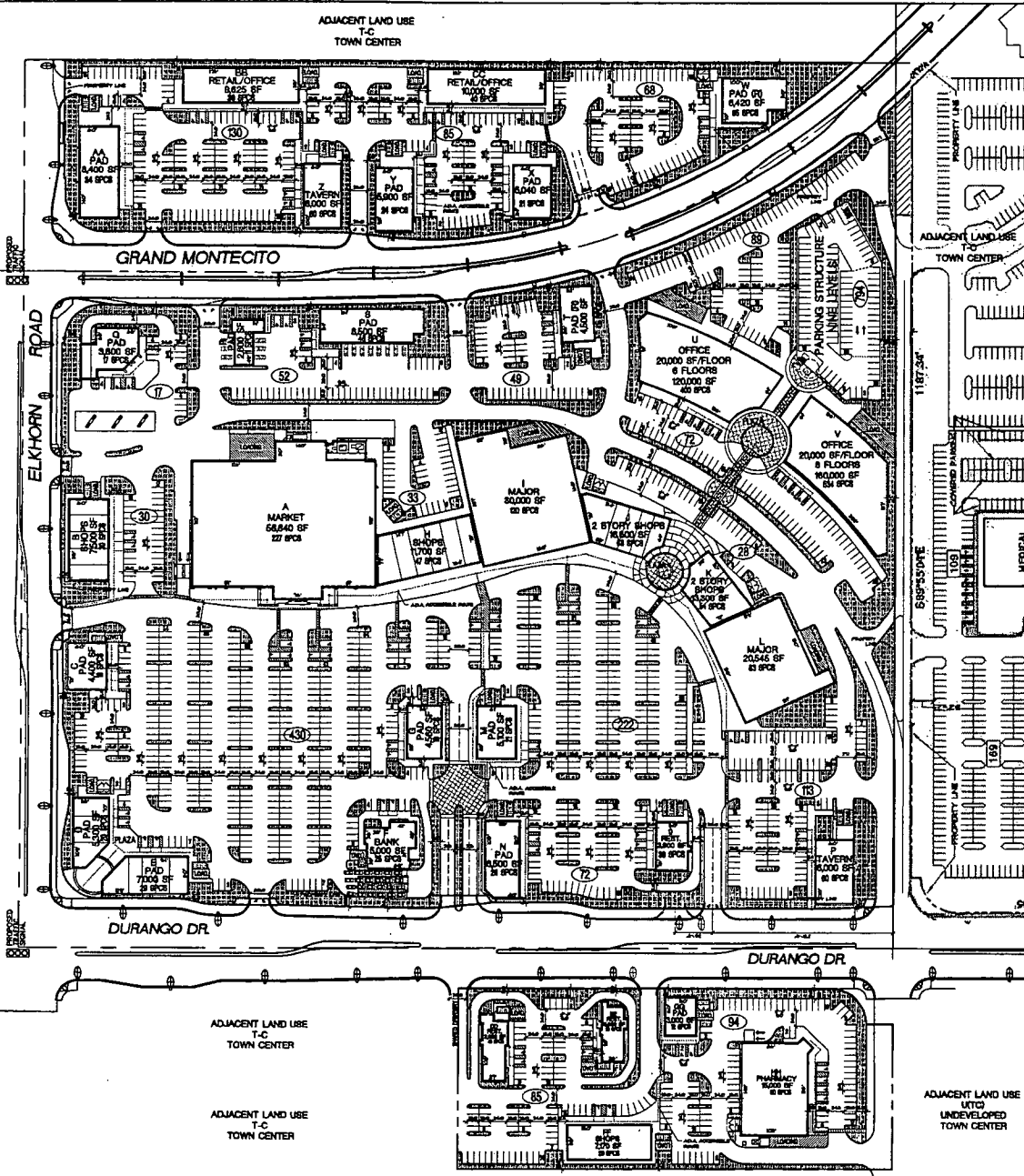
ADJACENT LAND USE
T-C
TOWN CENTER

ADJACENT LAND USE
T-C
TOWN CENTER

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE SURVEY. IT IS CONSIDERED, IN PART, AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. (Scale: 1" = 100' - 1/4" = 100' - 1/4" = 100')

SUP-3789

03-11-04 PC



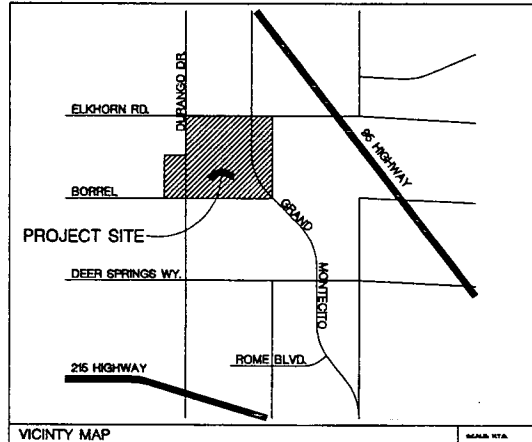
SUMMARY

LAND AREA (GROSS) • APPROX. 45.6 ACRES (1,986,391 SF±)
LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF±)
BUILDING AREA • 587,750 SF
LAND/BUILDING RATIO • 18/1 35.6%
PARKING REQUIRED • 2,392 STALLS
PARKING PROVIDED • 2,470 STALLS
PARKING RATIO • 4.2/1000
PARKING REQUIRED BASED UPON THE FOLLOWING:
RETAIL (18,040 SF) • 1 STALL/250 SF = 728 STALLS
RESTAURANT (34,870 SF) • 1 STALL/100 SF = 344 STALLS
MARKET (58,840 SF) • 1 STALL/250 SF = 227 STALLS
PHARMACY (5,000 SF) • 1 STALL/250 SF = 60 STALLS
OFFICE (200,000 SF) • 1 STALL/300 SF = 666 STALLS
CONVENIENCE STORE W/ SELF-SERVE CARWASH (3,800 SF)
• 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 7 STALLS
AUTO REPAIR (8,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

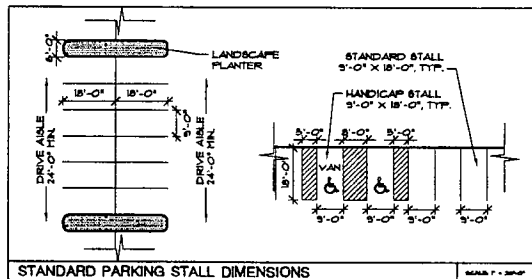
SUMMARY / PARKING ANALYSIS / FAR

OPEN SPACE AREA PROVIDED • 439,740 SF
OPEN SPACE/LAND RATIO • 28/1 26.7% (INCL. LANDSCAPE AREA)
LANDSCAPE AREA PROVIDED • 242,680 SF
LANDSCAPE/LAND RATIO • 57/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

P

3880 Howard Hagan Pkwy
Suite 400
Las Vegas, NV 89103
702-852-8820
702-852-8544 fax

www.parkowir.com

Corporate Office
Long Beach, CA

Regional Office
Hawthorn Beach, CA
Portland, OR

Client Information

MONTECITO
COMPANIES

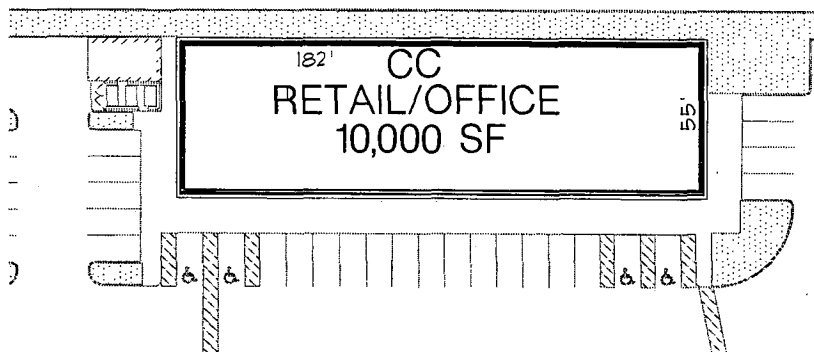
Parkowir-Roth
ARCHITECTS
3521 Durango Drive • Elkhorn Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date 09/27/04
Drawn By mk
Checked By jml
Project No. 03-0321
File Name 03043201.dwg
Scale 1" = 80'

N
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Site Plan
SA-1

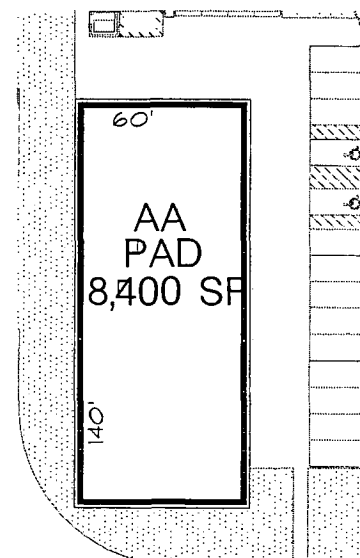


BUILDING "CC"



DATE: 01/21/04
SCALE: 1" = 20'-0"

CC

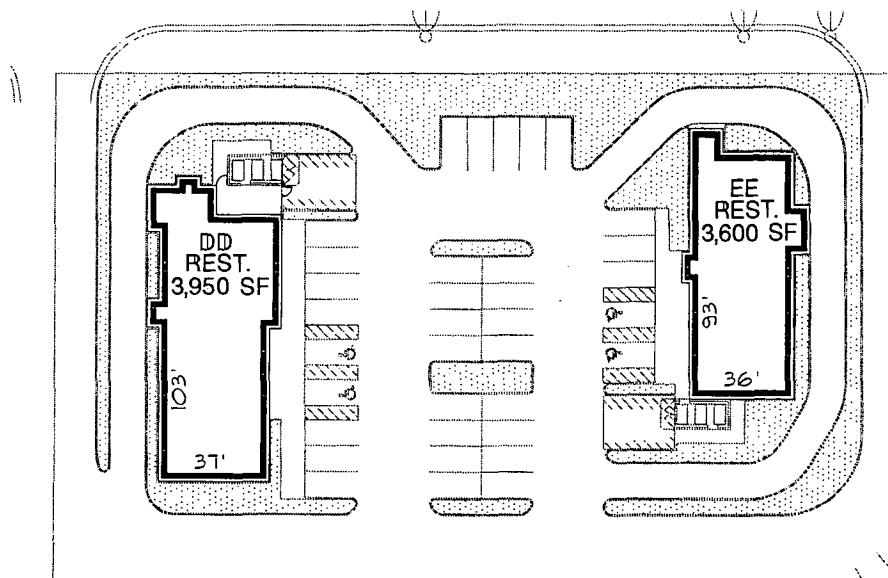


BUILDING "AA"



DATE: 01/21/04
SCALE: 1" = 20'-0"

AA



BUILDINGS "DD" & "EE"



DATE: 01/21/04
SCALE: 1" = 20'-0"

DD & EE



BUILDING "BB"



DATE: 01/21/04
SCALE: 1" = 20'-0"

BB



3280 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89109
702-452-4500
702-452-4501 fax

www.parkarchitect.com

Corporate Office:
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Parkowitz + Roth
ARCHITECTS

855 of Dunes Blvd • Elsinore Road

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

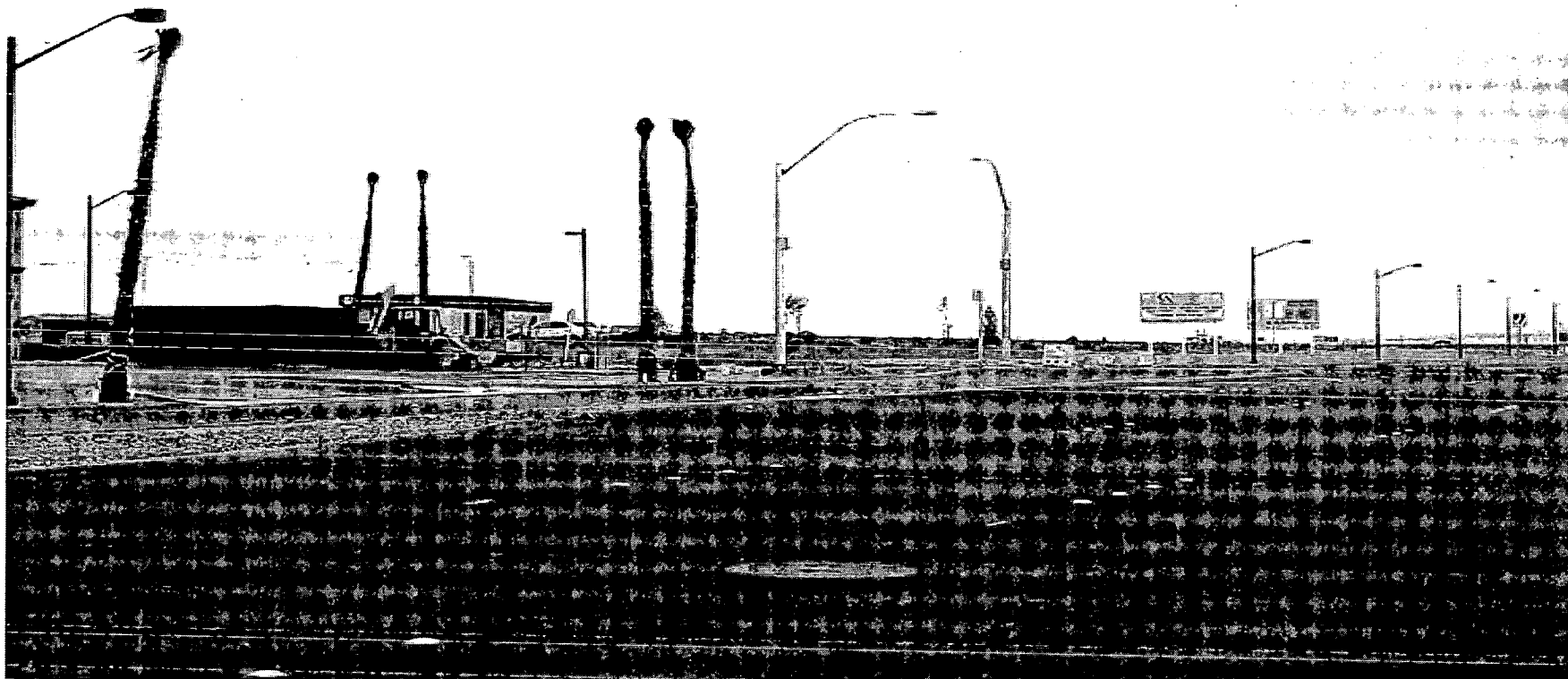
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Drawn By: mt
Checked By: rj
Project No: 03-43211
File Name: 03032006.dwg
Scale: 1" = 20'-0"

Scale and North
Arrow as Noted
SCALE 2X

Floor Plans
FL-6

SUP-3789

03-11-04 PC



SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SUP-3789 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE NORTHWEST CORNER OF DURANGO DRIVE AND DORRELL LANE
MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-3763, ZON-3840, SUP-3765, SUP-3767, SUP-3770, SUP-3771, SUP-3773, SUP-3774, SUP-3776, SUP-3777, SUP-3778, SUP-3779, SUP-3780, SUP-3781, SUP-3783, SUP-3785, SUP-3786, SUP-3788 AND SUP-3789 - PUBLIC HEARING - **SDR-3764** - **APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY** - **OWNER: MTC-118, INC.** - Request for a Site Development Plan Review FOR A PROPOSED 587,750 SQUARE-FOOT MIXED-USE COMMERCIAL DEVELOPMENT on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive (A portion of APN: 125-20-501-001 and 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) Land Use Designations] and U (Undeveloped) Zone [TC (Town Center) General Plan Designation], PROPOSED: T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use - Town Center) Town Center Land Use Designation], Ward 6 (Mack). The Planning Commission (5-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED Item 124 [MOD-3763], Item 125 [ZON-3840], Item 126 [SUP-3765], Item 127 [SUP-3767], Item 128 [SUP-3769], Item 129 [SUP-3770], Item 130 [SUP-3771], Item 131 [SUP-3773], Item 132 [SUP-3774], Item 133 [SUP-3776], Item 134 [SUP-3777], Item 135 [SUP-3778], Item 136 [SUP-3779], Item 137 [SUP-3780], Item 138 [SUP-3781], Item 139 [SUP-3783], Item 140 [SUP-3785], Item 141 [SUP-3786], Item 142 [SUP-3788], Item 143 [SUP-3789], and Item 144 [SDR-3764] subject to conditions and with the following modifications:

Item 125 [ZON-3840]

Modification of Condition 6 by deleting the third sentence relative to the traffic mitigation contribution requirements

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 144 – SDR-3764

MOTION – Continued:

Item 135 [SUP-3778] Deletion of Condition 7

Item 144 [SDR-3764]

Modification of Condition 18 as follows:

A vacation application for the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be submitted to the City prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.

Modification of Condition 24 by deleting the third sentence relative to the traffic mitigation contribution requirements

– UNANIMOUS

NOTE: MAYOR GOODMAN clarified with ATTORNEY FIORENTINO that there was no conflict of interest and that he would be voting on these items.

MINUTES:

NOTE: See Item 124 [MOD-3763] for related discussion.

(1:56 – 2:08)

3-1979

CONDITIONS:

Planning and Development

1. A Major Modification (MOD-3763) and a Rezoning [ZON-3840] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a revision to the parking area to provide an additional 12 spaces or to otherwise alter the plan to conform with the parking requirements of the Code.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 144 – SDR-3764

CONDITIONS– Continued:

5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center in external perimeter locations, and 30 feet on-center for internal perimeter property boundaries, and to reflect a minimum of four five-gallon shrubs for each tree within provided planters.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf, and which contains plant species that appear on Appendix B (Plant Palette) to the Montecito Town Center Development Agreement.
9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 144 – SDR-3764

CONDITIONS– Continued:

14. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City departments must be satisfied.

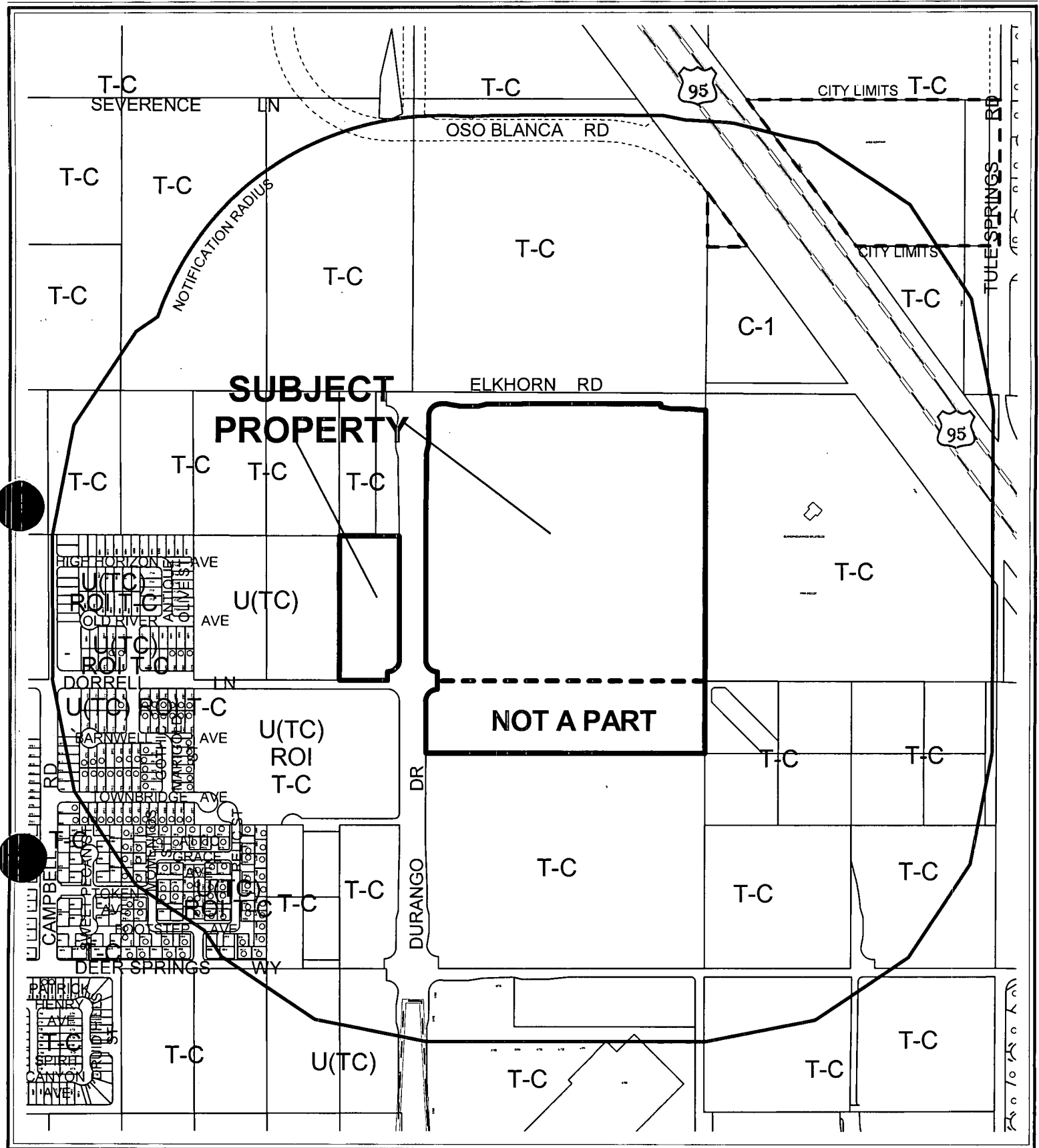
Public Works

17. Final Map FMP-2819 for the Montecito Town Center North must record prior to the approval of construction drawings or the issuance of any permits for this site.
18. The stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be vacated prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.
19. This site shall be responsible for all usual and customary dedications and street improvements for Elkhorn Road, Durango Drive and Grand Montecito Parkway not secured by the Special Improvement District for Special Improvement District numbers 1481 El Capitan Way and 1502 Grand Montecito Parkway prior to occupancy of this site.
20. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.
21. Provide a copy of a recorded Joint Access Agreement between parcel 125-20-101-017 and parcels 125-20-101-008 and 125-20-101-009 prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 144 – SDR-3764

CONDITIONS– Continued:

24. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
25. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito Town Center Development Agreement, ZON-3840 and the Montecito Town Center North Tentative Map (TMP-1244).



CASE: SDR-3764

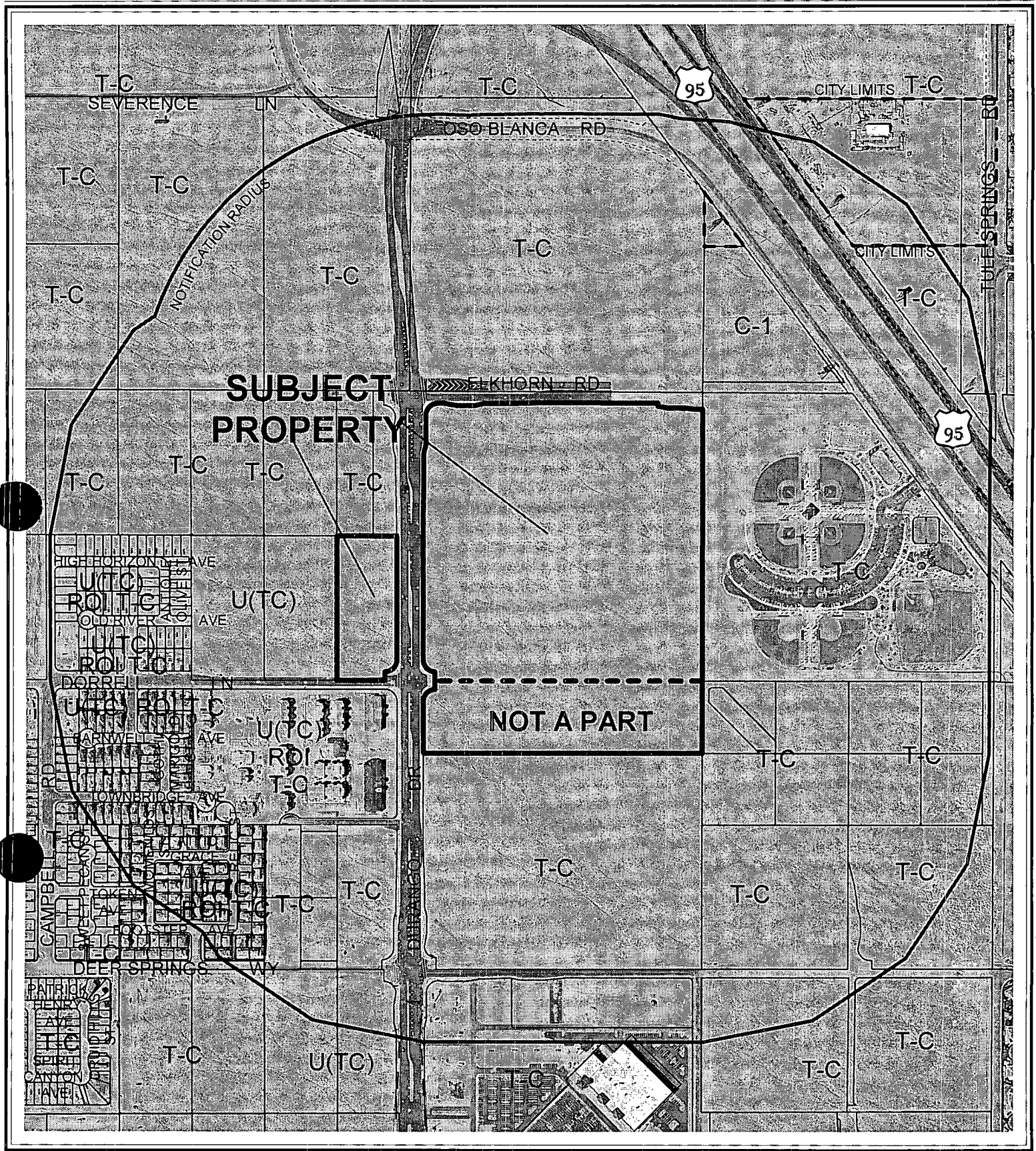
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ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION] AND U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)





CASE: SDR-3764

RADIUS: 1320 FT

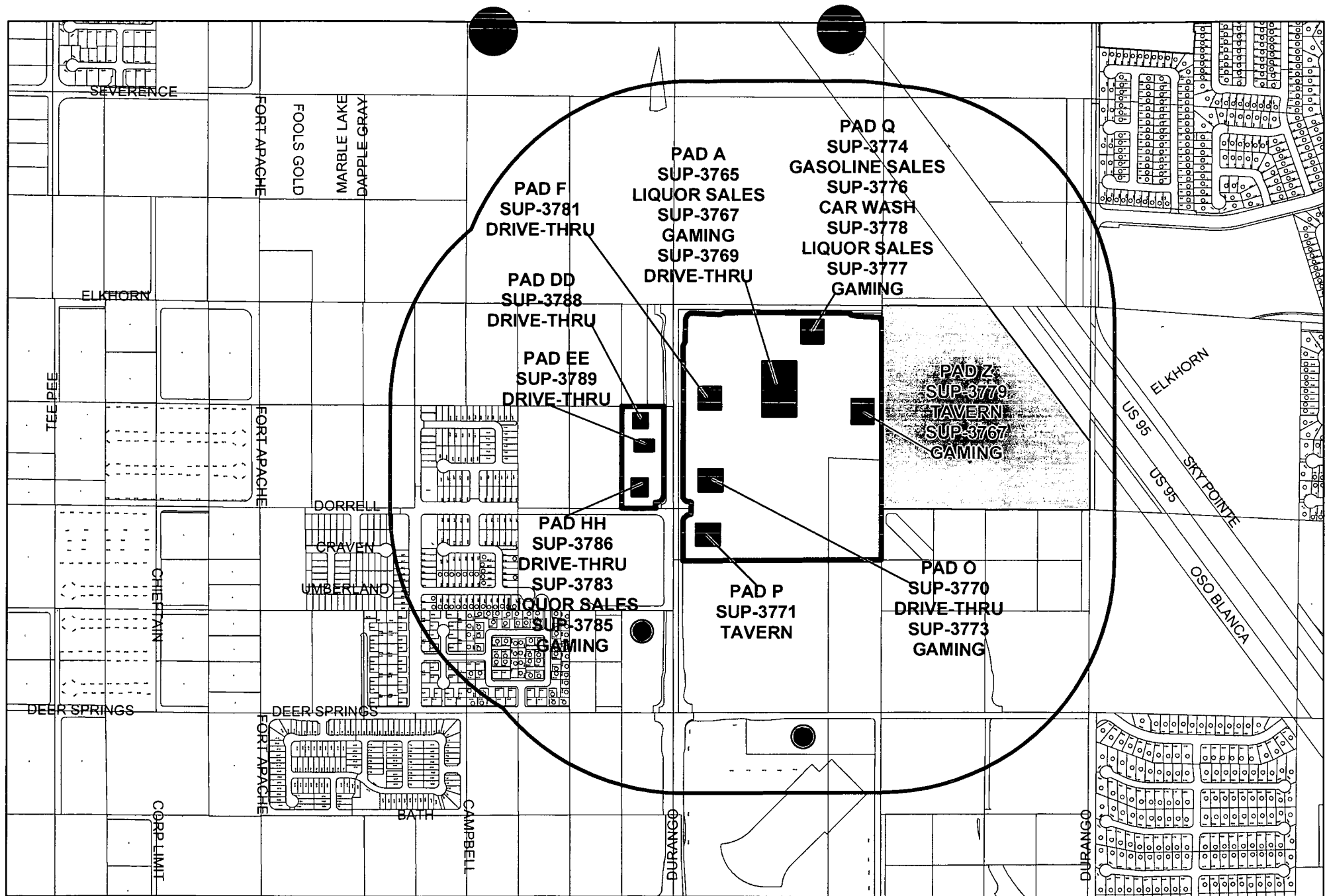
ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED USE - TOWN CENTER) AND MS-TC (MAIN STREET MIXED USE - TOWN CENTER) LAND USE DESIGNATION] AND U (UNDEVELOPED) ZONE [TC (TOWN CENTER) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 400 800 Feet



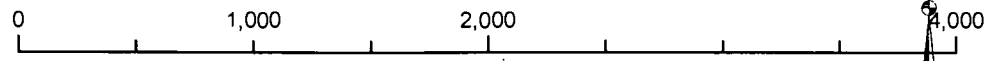


SUPs at the Proposed Montecito Marketplace Commercial Development **Protected Landuses**

Business Licenses

- Parks
- Schools
- Taverns
- Religious

- Tavern
- Child Care/Children Facility



N

4,000

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

**** CONDITIONS ****

The Planning Commission (5-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Major Modification (MOD-3763) and a Rezoning [ZON-3840] to a T-C (Town Center) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a revision to the parking area to provide an additional 12 spaces or to otherwise alter the plan to conform with the parking requirements of the Code.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center in external perimeter locations, and 30 feet on-center for internal perimeter property boundaries, and to reflect a minimum of four five-gallon shrubs for each tree within provided planters.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf, and which contains plant species that appear on Appendix B (Plant Palette) to the Montecito Town Center Development Agreement.

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
14. Any internal property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. Final Map FMP-2819 for the Montecito Town Center North must record prior to the approval of construction drawings or the issuance of any permits for this site.
18. The stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive must be vacated prior to the approval of construction drawings or issuance of any permits for this site or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (AKA Wittig Avenue) east of Durango Drive, whichever may occur first.
19. This site shall be responsible for all usual and customary dedications and street improvements for Elkhorn Road, Durango Drive and Grand Montecito Parkway not secured by the Special Improvement District for Special Improvement District numbers 1481 El Capitan Way and 1502 Grand Montecito Parkway prior to occupancy of this site.

20. Coordinate with the City Engineer's office to determine the correct median opening locations on Grand Montecito Parkway and coordinate with the City Traffic Engineer for driveway placement at the openings.
21. Provide a copy of a recorded Joint Access Agreement between parcel 125-20-101-017 and parcels 125-20-101-008 and 125-20-101-009 prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the public rights-of-way adjacent to this site prior to occupancy of this site.
24. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
25. Site development to comply with all applicable conditions of approval for Z-76-98, the Montecito Town Center Development Agreement, ZON-3840 and the Montecito Town Center North Tentative Map (TMP-1244).

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review for a 587,750 square-foot mixed-use commercial development (Montecito Marketplace) on 45.6 acres covering two separate but adjacent sites adjacent to the northeast and northwest corners of Durango Drive and Dorrell Lane.

B) Applicant's Justification

The applicant has justified this request by stating that the request is appropriate as the proposed use reflects the intensity of retail and commercial activity that has been envisioned for the Montecito Town Center.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 05/20/64 | The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964. |
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval. |
| 01/17/01 | The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999. |
| 12/19/02 | The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff had recommended approval. |
| 03/11/04 | The Planning Commission recommended approval of related items: a Major Modification (MOD-3763) to the Montecito Town Center Development Agreement, to add five acres of land at the northwest corner of Durango Drive |

and Dorrell Lane, to the area designated pursuant to the Development Agreement as "Montecito Town Center Mixed Use Commercial", a Rezoning (ZON-3840) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) and a number of other Special Use Permits for Taverns, Liquor Sales, Incidental Gaming, a Car Wash, Gasoline Sales and Drive-Through Facilities on the overall subject site.

03/11/04 The Planning Commission voted 5-0-1 to recommend APPROVAL (PC Agenda Item #41/gl).

B) Pre-Application Meeting

12/30/03 There were no issues raised that related directly to this application.

C) Neighborhood Meetings

No neighborhood meeting was required or conducted with respect to this Site Development Plan Review application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 45.6
Net Acres: 37.9

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
North: PF-TC (Public Facilities - Town Center)
South: UC-TC (Urban Center Mixed Use - Town Center) and
 MS-TC (Main Street Mixed Use - Town Center)
East: PF-TC (Public Facilities - Town Center)
West: UC-TC (Urban Center Mixed Use - Town Center)

D) Existing Zoning

Subject Property: U (Undeveloped) [TC (Town Center) General Plan Designation] and
 T-C (Town Center)
North: T-C (Town Center)
South: T-C (Town Center)

East: T-C (Town Center)
West: U (Undeveloped) [TC (Town Center) General Plan Designation] and
T-C (Town Center)

E) General Plan Compliance

The General Plan designation of the two subject parcels on the Centennial Hills Sector Plan map is TC (Town Center), with special land use designations of UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) under the Town Center Development Standards Manual. The larger (40-acre) parcel is currently designated as "Montecito Town Center Mixed Use Commercial" pursuant to the Montecito Town Center Development Agreement. The companion Major Modification (MOD-3763) will designate the smaller (five-acre) parcel in an identical fashion. The proposed site plan is in compliance with the provisions of the Development Agreement.

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5227, the proposed project is deemed to be a "Project of Significant Impact" for the following reasons:

- 1) The potential traffic generation for a project within one-half mile of Clark County exceeds 6,250 ADT vehicle trips.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. The Planning Commission shall consider the Environmental Impact Assessment and any proposed mitigation measures prior to make a decision on the proposal. As of the date of the preparation of this case report, no negative comments or requests for mitigation measures had been received.

PROJECT DESCRIPTION

The proposed Montecito Marketplace will be a commercial development with a blend of retail, entertainment, service and office uses. The project will consist of a 56,640 square-foot market anchor, and two other major retail outlets, 30,000 square feet and 20,545 square feet respectively. These three anchors are connected by 41,800 square feet of small commercial retail units. There are also 24 independent pad sites containing service, entertainment and retail activities and a 15,000 square-foot pharmacy. There are also two single-story office/retail structures and two office buildings, one a six-floor building and the other an eight-floor building. These latter two buildings will be served by an adjacent nine-level parking structure. The remainder of the site is served with on-site shared surface parking areas. The site contains 439,740 square feet of open space, mostly in perimeter buffers, median areas and parking lot islands.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

The Development Standards for projects located within the Montecito Development Agreement area are set forth under Sections 3, 4 and 5 of the Agreement. Section 3 provides for general site development requirements, including streetscapes and pathways, setbacks, walls, signage, entry features, and the use of easements and screening for utilities. Section 4 provides for some general architectural and landscaping guidelines. Section 5 provides design standards for commercial projects, including site planning and circulation, required open space, and architecture, including building massing, colors and finishes, roof design and the use of lighting. The proposal appears to meet these requirements of the Development Agreement.

The site plan also provides for at least one loading zone per pad or structure for a total number that exceeds the nine zones called for by the Code; similarly, a satisfactory number of trash collection enclosures are identified on the plan.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to this project.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Retail, other than listed	181,840 s.f.	1 space/250 s.f.	728 spaces			
Restaurant	34,370 s.f.	1 space /50 s.f. seating area, + 1 space/200 s.f. remaining space	434 spaces			
Market	56,640 s.f.	1 space/250 s.f.	227 spaces			
Pharmacy	15,000 s.f.	1 space/250 s.f.	60 spaces			

Office	280,000 s.f.	1 space/300 s.f.	934 spaces			
Convenience Store	3,800 s.f.	1 space/250 s.f. + 1 space/car wash bay	17 spaces			
Auto Repair	8,500 s.f.	1 space/200 s.f. + 5 spaces	48 spaces			
Auto Lube	2,600 s.f.	1 space/bay + 1 space/ employee	9 spaces			
Bank	5,000 s.f.	1 space/200 s.f.	25 spaces			
Totals	587,750 s.f.		2,482 spaces	35 spaces	2,470 spaces	72 spaces

Although the site plan is slightly deficient in the overall number of spaces, there is sufficient flexibility in the design of the site to accommodate the deficiency of 12 spaces. A condition of approval addresses this issue.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 spaces (2,470 trees)	412 Trees	
Buffer:			
• Min. Trees	1 Tree/ 20 Linear Feet (7,100 feet – External Perimeters)	355 Trees	
	1 Tree/ 30 Linear Feet (2,140 feet - Internal Perimeters)	72 Trees	
Total required number of trees		839 trees	507 trees + an additional 372 15- gal.trees
• Min. Zone Width	15 Feet external, 8 feet internal 6 Feet		Y
• Wall height			No walls indicated

In terms of landscaping, the site is deficient in terms of the overall number of 24"-box trees; however, if the proposed 15-gallon trees are included, the number of trees would exceed the standard. A condition of approval will require that a sufficient number of the proposed 15-gallon trees be upgraded to 24"-box size to meet code requirements.

A number of the plants proposed do not appear on Appendix B to the Montecito Town Center Development Agreement, namely, African Sumac (*Rhus Lancea*), Tamarisk (*Tamarix*), and Desert Honeysuckle (*Anisacanthus*). A condition of approval will require revision of the landscaping plan to provide for trees, plants and shrubs that conform with the Development Agreement.

No walls have been identified for the proposed project. This is suitable where the site is not coterminous with other parcels; however, the east and west boundaries of the site have common boundaries with other lands that are not rights-of-way. In these areas, a six-foot meeting the design conditions of the Code must be provided. A condition of approval will address this matter.

Section 5.1.7 of the Montecito Town Center Development Agreement calls for a 20% contribution of open space, of which 12% must be provided within Montecito proper, and the other eight percent is Montecito's proportionate share of northwest development. The site plan as submitted identifies a total of 439,740 square feet of open space area provided, or 26.7% of the overall site. A total of 242,680 square feet of landscaped area is provided, or 14.7% of the overall site. The landscaped areas consist primarily of perimeter and parking lot landscaping, while the open space areas include, in addition to these landscaped areas, several plaza areas and walkways around the buildings. These areas meet the requirements of the Montecito Town Center Development Agreement for the provision of open space.

B) General Analysis and Discussion

- **Zoning**

The eastern 40-acre parcel of the overall development site is currently zoned as T-C (Town Center). The western five-acre parcel is currently zoned as U (Undeveloped) [TC (Town Center) General Plan Designation], but is the subject of companion Rezoning application ZON-3840. If approved, the five-acre parcel will also become T-C (Town Center). The Montecito Town Center Development Agreement supercedes the Town Center Development Standards Manual requirements, unless the Agreement is silent on a given topic. The site plan as presented meets the requirements of the Development Agreement.

- **Site Plan**

The site plan depicts a 587,750 square-foot commercial/office complex that is designed to integrate primarily with approved hospital, medical and retail uses located to the south of the site within other portions of the Montecito Agreement area, and to a lesser extent with areas planned for vertically integrated mixed-use commercial/residential to the west of the site. The site plan makes little provision for integration with lands to the east, developed as recreational sports fields, and lands to the north, designated for as yet unspecified public facilities uses.

- Waivers

No waivers have been requested as part of this application. A number of minor site plan deficiencies are expected to be addressed thorough site plan modifications noted under the conditions of approval.

- Landscape Plan

The landscape plan depicts an amount of landscaping and open space which meets the standards of the Development Agreement; however, most of this landscaping and open space is found in parking lot landscaping islands and perimeter landscaping areas, which while necessary from a design perspective, do not lend themselves to any active uses. Active open space is limited to three plaza areas within the development; all of these are located on the 40-acre parcel. Changes to the landscaping plan are recommended by condition of approval to ensure that the trees and plants are found in Appendix B of the Agreement.

- Elevations

The elevations depict a series of architecturally-related one-story flat-roofed buildings generally 24 feet (pad structures), 27 feet (convenience store) and 29 feet (principal buildings) in height, with low-angle pitched-roof details to 32 feet (pad structures), 34 feet (convenience store) and 38 feet (principal structures) in height. The market will have an entrance detail that rises to 42 feet, and a faux clock tower in another location will rise to 66 feet. One structure that will be developed as two-story shops will be 36 feet high, with architectural details rising to 46 feet. The proposed eight-story office tower (no detail is provided for the six-story tower) will rise to 120 feet, with a stepback after the sixth story at 92 feet, and an overall height including architectural details at 128 feet.

Building materials consist of painted exterior cement plaster over tilt-up pre-cast panels, with cultured stone veneer, stained wood and metal accents, with aluminum and glazing storefront components. Foam accents and pop-outs with a painted plaster finish provide finishing details. The roofing is standing seam metal roofing accented with ceramic roof tiles. Black wrought-iron railings and fabric awnings in various colors will complete the trim details.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

This proposed development will be compatible with other development that is adjacent or nearby within the Montecito Development Agreement area. Nearby areas within Town Center intended for commercial development, but outside the Development Agreement boundary will be held to more stringent development standards that require minimum two-story building heights and other specific design requirements; however, the proposed project should be compatible with these town Center projects.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

Projects within the Development Agreement area are only required to comply with the provisions of the Agreement, unless the Agreement is silent on a particular standard. The project as submitted appears to comply with those Title 19 standards, such as parking, which apply to the site.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

Durango Drive, running through the overall site, will be developed as a Town Center Parkway Arterial (120 feet). Dorrell Lane, to the south of the site, is an 80-foot Town Center Collector. Grand Montecito Parkway, which will pass through the east side of the site, is designated as a 90-foot Town Center Loop Road. Elkhorn Road, to the north of the site, is identified as a 100-foot Primary Arterial with special design requirements. These streets will have adequate capacity to serve the proposed development.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building and landscape materials are typical of a commercial development of this type, and are complementary to those used in other surrounding and nearby commercial, office and institutional projects in the area.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The design, articulation and overall layout of the project are harmonious and compatible with other similar projects within the Montecito Development Agreement area.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 153 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3764 APN: 125-20-501-001
125-20-101-017

Name of Property Owner: MTC-118, Inc

Name of Applicant: Montecito Companies, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

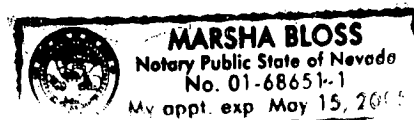
Signature of Property Owner/Authorized Agent: [Signature]

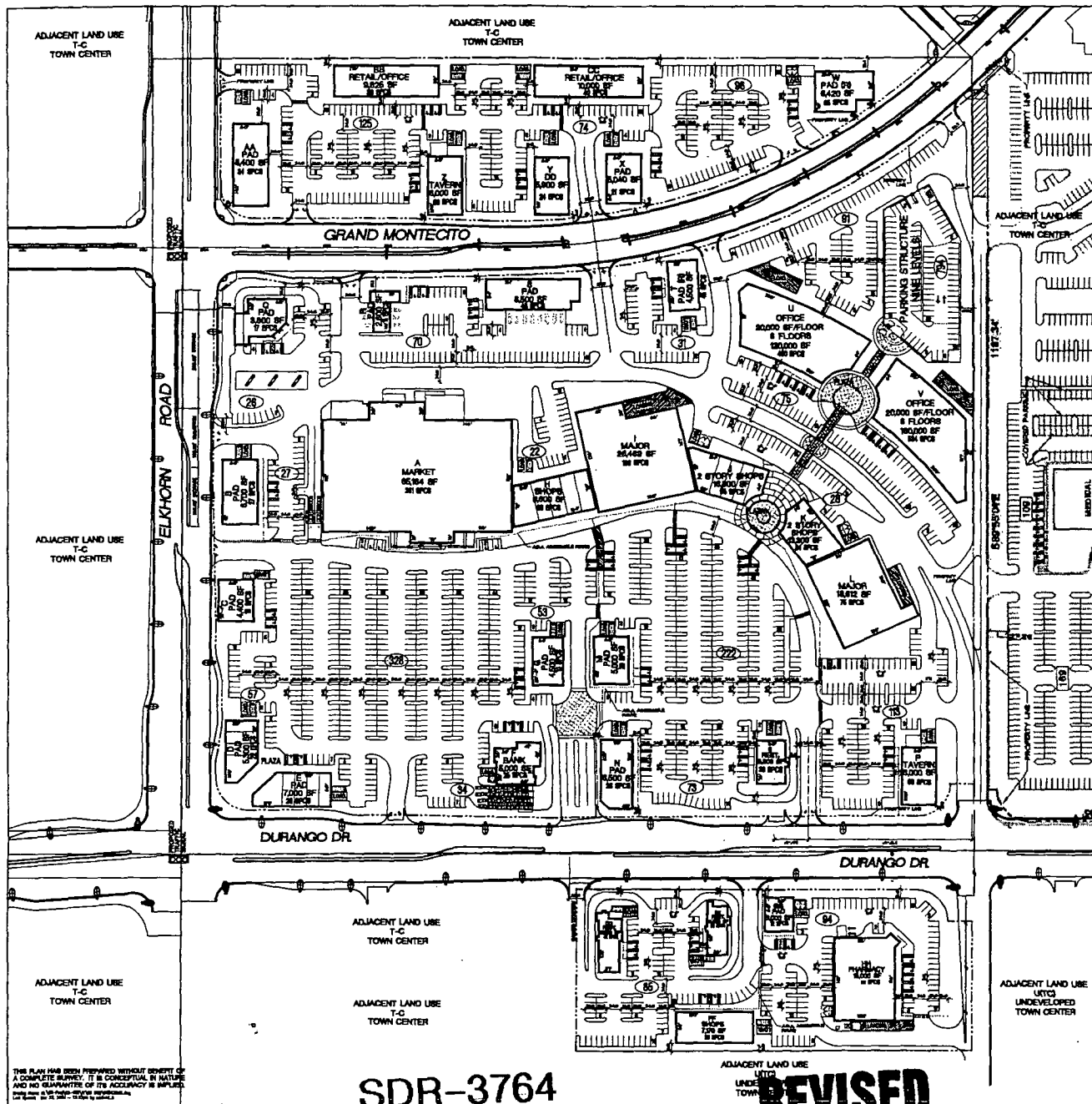
Print Name: Frank Nielsen

Subscribed and sworn before me

This 26 day of January, 2004

Marsha Bloss
Notary Public in and for said County and State





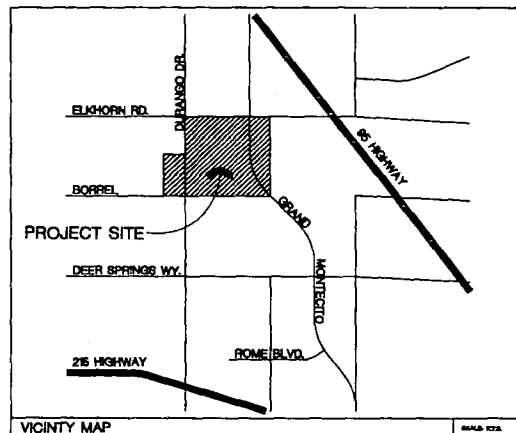
SUMMARY

LAND AREA (GROSS) • APPROX. 45.8 ACRES (1,896,391 SF)
 LAND AREA (NET) • APPROX. 37.9 ACRES (1,649,954 SF)
 BUILDING AREA • 587,750 SF
 LAND/BUILDING RATIO • 18/1 35.6%
 PARKING REQUIRED • 2,392 STALLS
 PARKING PROVIDED • 2,522 STALLS
 PARKING RATIO • 4.3/1000
 PARKING REQUIRED BASED UPON THE FOLLOWING:
 RETAIL (73,318 SF) • 1 STALL/250 SF = 294 STALLS
 RESTAURANT (54,570 SF) • 1 STALL/200 SF = 273 STALLS
 MARKET (81,164 SF) • 1 STALL/250 SF = 325 STALLS
 PHARMACY (16,000 SF) • 1 STALL/250 SF = 64 STALLS
 OFFICE (280,000 SF) • 1 STALL/800 SF = 350 STALLS
 CONVENIENCE STORE W/ SELF-SERVE CARWASH (6,800 SF)
 • 1 STALL/250 SF + 2 STALLS PER CARWASH BAY = 17 STALLS
 AUTO REPAIR (6,500 SF) • 1 STALL/200 SF + 5 STALLS = 48 STALLS
 AUTO LUBE (2,800 SF, 3 BAYS, 6 EMP) • 1 STALL/BAY + 1 STALL/EMP. = 9 STALLS
 BANK (5,000 SF) • 1 STALL/200 SF = 25 STALLS

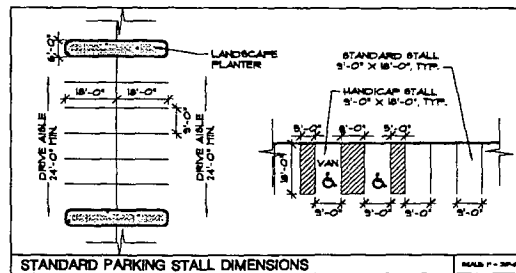
SUMMARY / PARKING ANALYSIS / FAR

OPEN SPACE AREA PROVIDED • 439,740 SF
 OPEN SPACE/LAND RATIO • 2.8/1 26.7% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED • 242,680 SF
 LANDSCAPE/LAND RATIO • 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA



VICINITY MAP



STANDARD PARKING STALL DIMENSIONS

PR

8800 Howard Hughes Pkwy
 Suite 400
 Las Vegas, NV 89123
 702-882-0020
 702-882-0074 fax

www.parkowicz.com

Corporate Office
Long Beach, CA

Regional Offices
Hawthorn Beach, CA
Washington, DC
Portland, OR

Client Information

MONCTECITO COMPANIES

Parkowicz, Ruth
 ARCHITECTS
 825 S. Durango Dr. - Suite 100
MONCTECITO MARKETPLACE
 Las Vegas, NV

Revisions

03/25/04 mfk
 03/15/04 mfk
 03/10/04 mfk

Date: 03/27/04
 Drawn By: [Signature]
 Checked By: [Signature]
 Project No: 03-002
 File Name: 03030002.dwg
 Scale: 1" = 80'

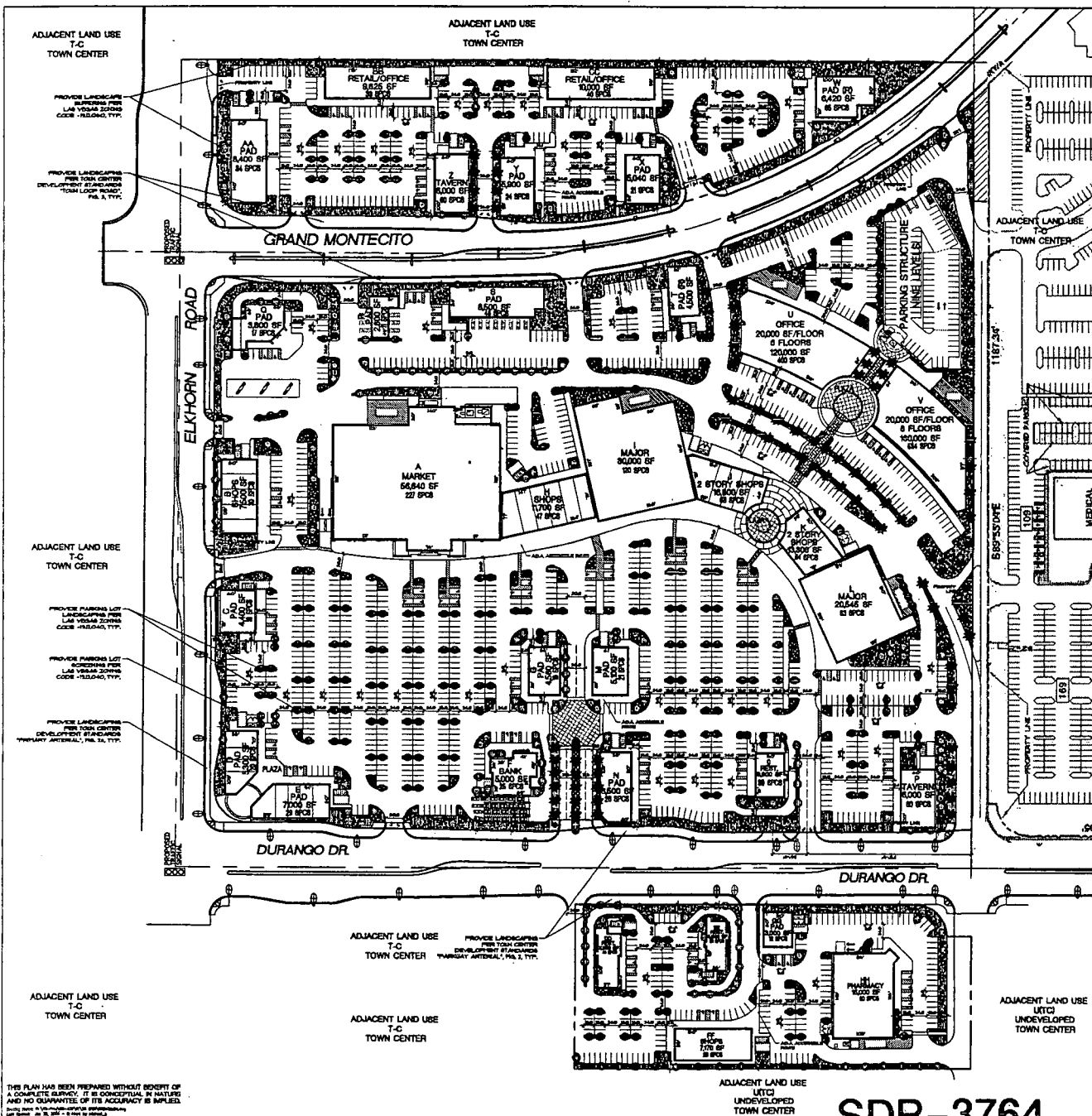
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 0 40 80 120

Site Plan
 SA-1

SDR-3764
 4-7-04 CC
 REVISED

REVISED
 3-24-04

THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF
 A COMPLETE SURVEY. IT IS CONSIDERED IN NATURE
 AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED.
 EXCEPT AS NOTED OTHERWISE HEREON.



TREES

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
⊙	90	8" BOX	MEXICAN FAN PALM or EQUIVALENT	WAGNERIA ROBERTA HYMID or EQ.
○	242	5" GAL	AFRICAN SUMAC or EQUIVALENT	RHUS LANCEA or EQUIVALENT
○	180	5" GAL	ARGENTINE MESQUITE or EQUIVALENT	PROSOPIS or EQUIVALENT
●	47	2" BOX	TAMARISK or EQUIVALENT	TAMARIX or EQUIVALENT

SHRUBS

SYMBOL	QUANTITY	SIZE	COMMON NAME	BOTANICAL NAME
○	3,902	5" GAL	BRITTLERUSH or EQUIVALENT	ENCLEIA or EQUIVALENT
○	2,048	5" GAL	DESERT HONEYBUCKLE or EQUIVALENT	AMBACANTHUS or EQUIVALENT

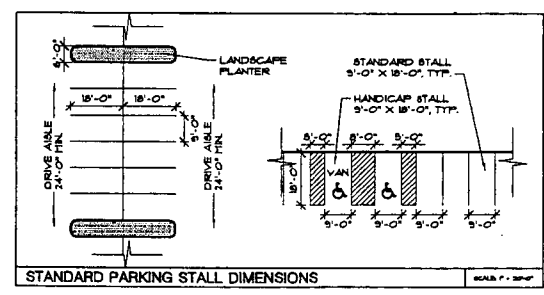
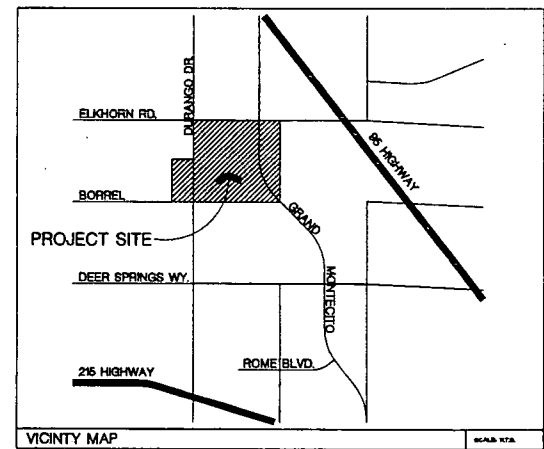
GROUND COVER

SYMBOL	QUANTITY	COVERAGE	COMMON NAME
■	242,680 SF	14.7%	DECORATIVE GRAVEL or EQUIVALENT

LANDSCAPE PALETTE

OPEN SPACE AREA PROVIDED - 439,740 SF
 OPEN SPACE/LAND RATIO - 28/1 26.7% (INCL. LANDSCAPE AREA)
 LANDSCAPE AREA PROVIDED - 242,680 SF
 LANDSCAPE/LAND RATIO - 5.7/1 14.7% LANDSCAPE COVERAGE

OPEN SPACE / LANDSCAPE AREA





3800 Howard Hughes Pkwy
 Suite 400
 Las Vegas, NV 89103
 702-862-8000
 702-862-4514 fax

www.parkowir.com

Corporate Office:
 Long Beach, CA

Regional Office:
 Newport Beach, CA
 Washington, DC
 Portland, OR

Client Information

MONTECITO
 COMPANIES

Perkowitz + Ruth
 ARCHITECTS

SSD of Durango Drive - Elkhorn Road
MONTECITO MARKETPLACE
 Las Vegas, NV

Revisions

01/27/04 mk

Date: 01/24/04
 Drawn By: mk
 Checked By: ml
 Project No: 03-432.1
 File Name: 03432204.dwg
 Scale: 1" = 80'

0 40 80 120

Landscape Plan
LP-1

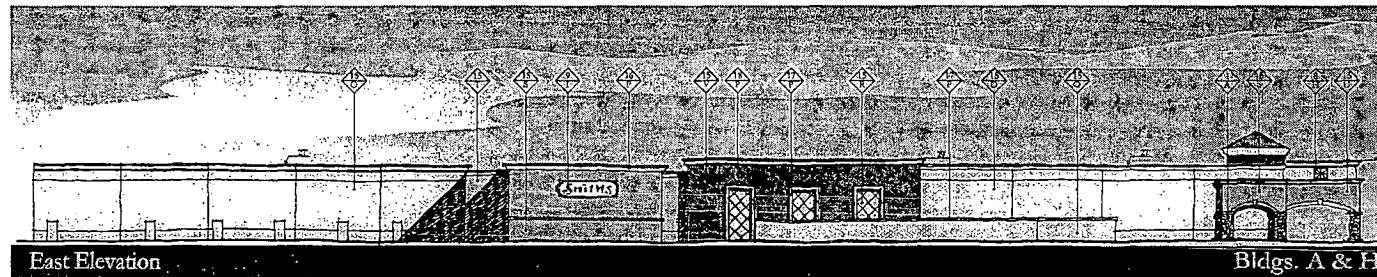
SDR-3764
03-11-04 PC

THIS PLAN HAS BEEN PREPARED WITHOUT RESORT TO A COMPLETE SURVEY. IT IS CONCEPTUAL IN NATURE AND NO GUARANTEE OF ITS ACCURACY IS IMPLIED. THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION.



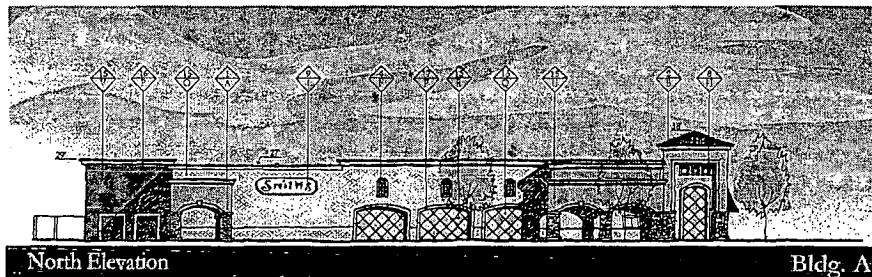
West Elevation

Bldgs. A & H



East Elevation

Bldgs. A & H



North Elevation

Bldg. A

MATERIAL	FINISH
Cultured Stone Veneer	Platinum Pro-Pia LedgeStone (PP-4017)
Ceramic Roof Tile Roof	US Tile "Newport Blend"
Standing Seam Metal Roofing	Simulated Copper Patina
Aluminum Storefront	Vinyl Wall "Champagne" 699
Storefront Glazing	Clear Glass
Spandrel Glazing	ICD Cyan-Coat-300 42-0213 "Aged Copper"
Stained Wood	Olympic Deck Stain "Glove Brown"
Metal Accent	Tiger-Drylac Powder Coating "RAL 8008"
Charcoal Letter Tenant Sign	Various Colors
Exterior Light Sconce	Light Bronze
Greenstock Light Fixture	Dark Bronze
Wrought Iron Railing	Black
Fabric Awning	Sundrella
Precast Concrete Planter	Quick Cure "Colonial Brick" C12
Painted Exterior Cement Plaster	Fraxee Paint CW057W "White Solitude"
Foam Cornice w/ Painted Plaster Finish	Fraxee Paint CW033W "Flood White"
Foam Trim w/ Painted Plaster Finish	Fraxee Paint 7730W "Corinthian"
Foam Accent w/ Painted Plaster Finish	Fraxee Paint 7731W "Light Topaz"
Metal Panel	Fraxee Paint 7742W "Light Teal"
Not Used	Fraxee Paint 7751W "Beach Grass"
Not Used	Fraxee Paint 7824 "Desert Edge"
Not Used	Fraxee Paint 7846 "Eldorado"
Not Used	Tinted Glass
Not Used	Silver

MONTECITO
COMPANIES

THE MONTECITO MARKETPLACE

Market & Typical 1-Story Shops Conceptual Elevations

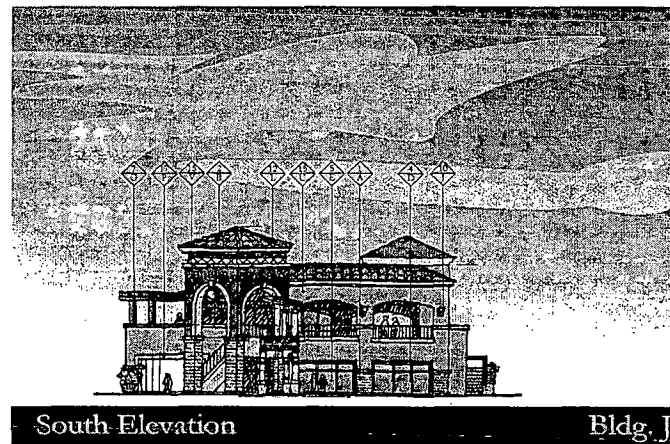
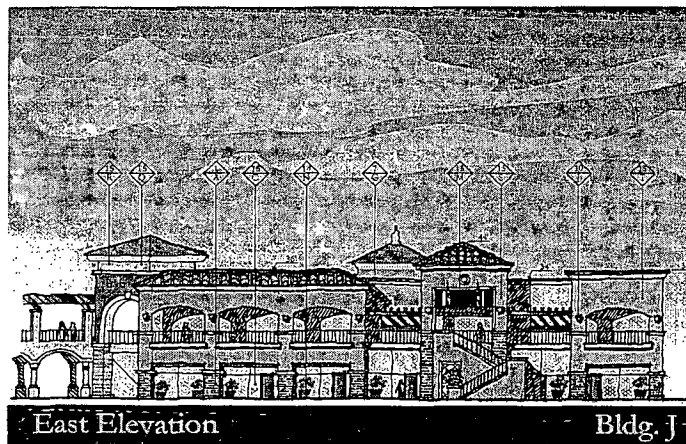
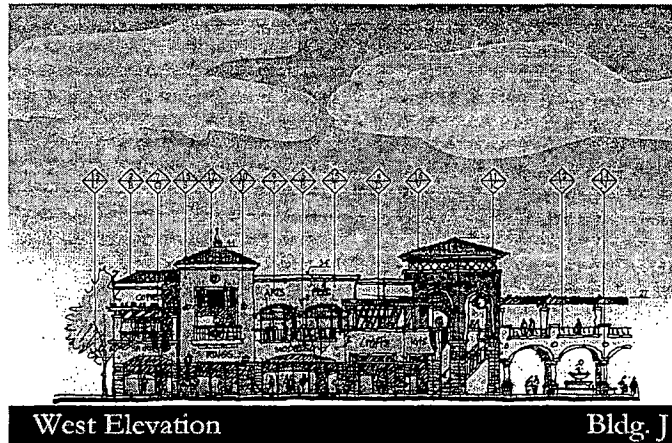
SCALE: 1" = 20'-0"
0' 10' 20' 40' 60'

DATE: January 27, 2004



SDR-3764

03-11-04 PC



MATERIAL	FINISH
Cultured Stone Veneer	Platinum Pro-Fit Ledgerstone (PF-8017)
Ceramic Roof Tile Roof	US Tile "Newport Blend"
Standing Seam Metal Roofing	Sealed Copper Patina
Aluminum Soffit	Vista Wall "Champagne" 699
Soffit Glazing	Clear Glass
Speedrail Glazing	ICD Opac-Coat-300 #2-6213 "Aged Copper"
Sealed Wood	Olympic Deck Stain "Clover Brown"
Metal Accent	Tiger Drylac Powder Coating "RAL 8008"
Channel Letter Tenant Sign	Various Colors
Exterior Light Sconce	Light Bronze
Gonoseck Light Fixture	Dark Bronze
Wrought Iron Railing	Black
Fabric Awning	Sunbrella Various Colors
Precast Concrete Planter	Quick Crete "Colonial Brick" C12
Painted Exterior Cement Plaster	Exterior Paint CW057W "White Solitude"
Foam Cornice w/ Painted Plaster Finish	Exterior Paint CW033W "Floral White"
Foam Trim w/ Painted Plaster Finish	Exterior Paint 7730W "Covington"
Foam Accent w/ Painted Plaster Finish	Exterior Paint 7731W "Light Topaz"
Metal Panel	Exterior Paint 7742W "Light Tans"
Not Used	Exterior Paint 7751W "Beach Grass"
Not Used	Exterior Paint 7824 "Dress Edge"
Not Used	Exterior Paint 7846 "Eldorado"
Not Used	United Glass
Not Used	Silver

SDR-3764
03-11-04 PC

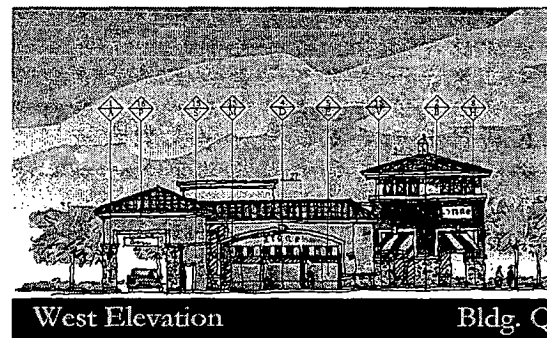
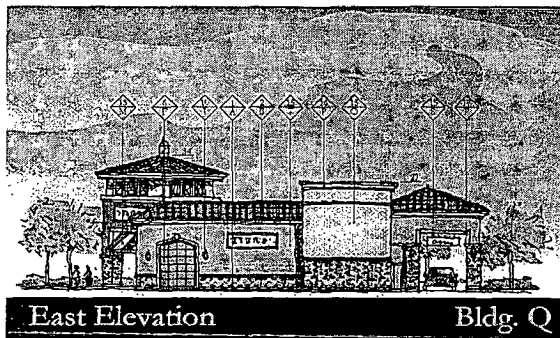
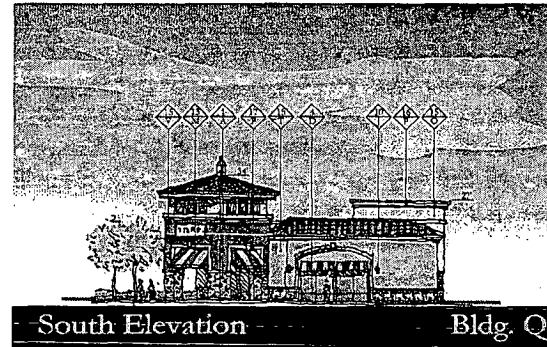
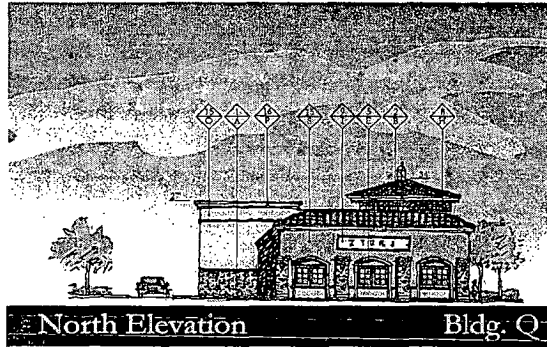
MONTECITO
COMPANIES

THE MONTECITO MARKETPLACE Typical Two-Story Shops Conceptual Elevations

SCALE: 1" = 16'-0"
0' 8' 16' 32' 64'

DATE: January 27, 2004





MATERIAL	FINISH
1 Colored Stone Veneer	Platinum Pro-Fit Ledgerstone (PF-5017)
2 Ceramic Roof Tile Roof	US Tile "Newport Blend"
3 Standing Seam Metal Roofing	Simulated Copper Panels
4 Aluminium Storefront	Vista Wall "Champagne" 699
5 Storefront Glazing	Clear Glass
6 Spandrel Glazing	ICD Opert-Coat-300 424213 "Aged Copper"
7 Stained Wood	Olympic Deck Stain "Clove Brown"
8 Metal Accent	Tiger-Drylac Powder Coating "RAL 8008"
9 Channel Letter Tenant Sign	Various Colors
10 Exterior Light Sconce	Light Bronze
11 Goose-neck Light Fixture	Dark Bronze
12 Wrought Iron Railing	Black
13 Fabric Awning	Sunbrella Various Colors
14 Precast Concrete Planter	Quick Cure "Colonial Brick" C12
15 Painted Exterior Cement Plaster	Peascoe Paint CW657W "White Solitude"
16 Foam Cornice w/ Painted Plaster Finish	Peascoe Paint CW657W "White Solitude"
17 Foam Trim w/ Painted Plaster Finish	Peascoe Paint 7730W "Gordian"
18 Foam Accent w/ Painted Plaster Finish	Peascoe Paint 7731W "Light Topaz"
19 Metal Panel	Peascoe Paint 7742W "Light Teal"
20 Not Used	Peascoe Paint 7751W "Beach Grass"
21 Not Used	Peascoe Paint 7824 "Ocean Edge"
22 Not Used	Peascoe Paint 7846 "Eldorado"
23 Not Used	Tinted Glass
24 Not Used	Silver



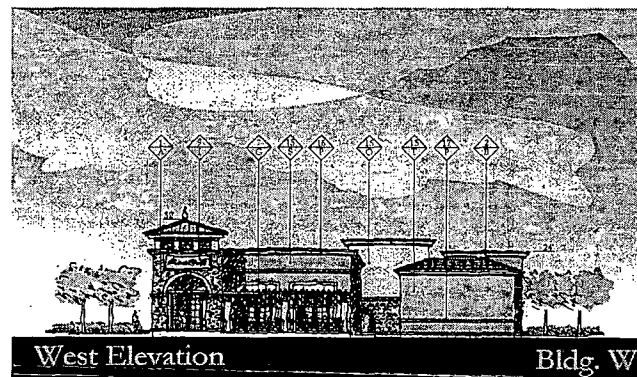
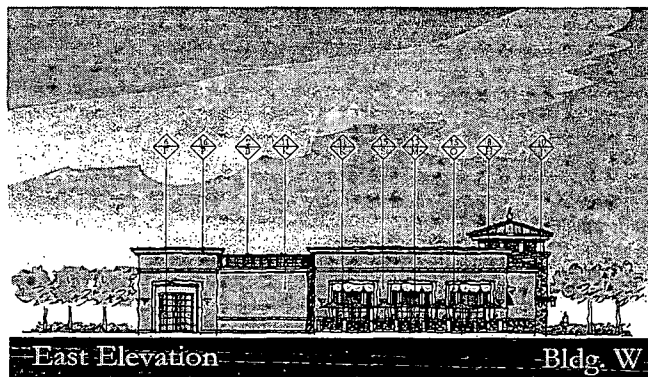
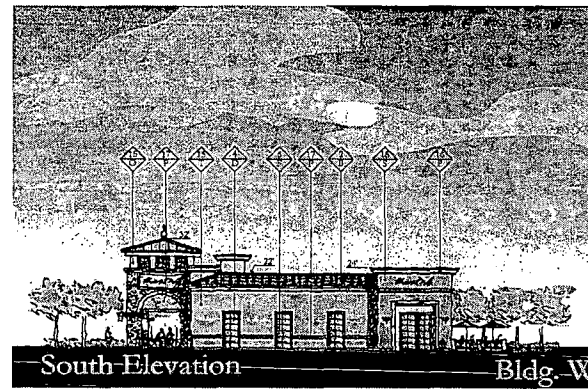
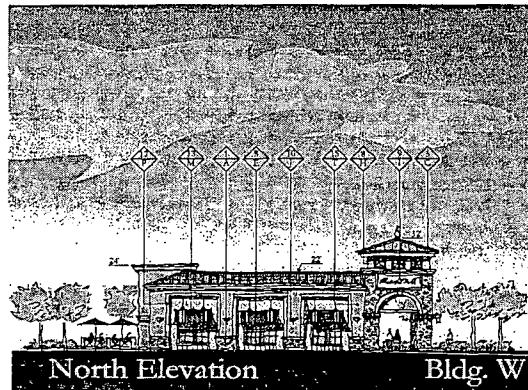
THE MONTECITO MARKETPLACE

Typical Convenience Store Conceptual Elevations

SCALE: 1" = 16'-0"
 0' 8' 16' 32' 64'
 DATE: January 27, 2004



SDR-3764
 03-11-04 PC



MATERIAL	FINISH
Cultured Stone Veneer	Platinum Pew-Pig Ledgerstone (PF-8017)
Ceramic Roof Tile Roof	US Tile "Newport Blend"
Standing Seam Metal Roofing	Simulated Copper Panels
Aluminum Scaffolding	Vista Wall "Champagne" 699
Stonefront Glazing	Clear Glass
Spandrel Glazing	KCD Opaci-Coat-300 #2-0213 "Aged Copper"
Stained Wood	Olympic Deck Stain "Clove Brown"
Metal Accent	Tiger Drylac Powder Coating "RAL 8005"
Channel Letter Tenant Sign	Various Colors
Exterior Light Sconce	Light Bronze
Gooseneck Light Fixture	Dark Bronze
Wrought Iron Railing	Black
Fabric Awning	Sundrella Various Colors
Precast Concrete Planter	Quick Crete "Colonial Beek" C12
Painted Exterior Cement Plaster	France Paint CW657W "White Solitude"
Foam Cornice w/ Painted Plaster Finish	France Paint CW653W "Fiscal White"
Foam Trim w/ Painted Plaster Finish	France Paint 7750W "Corinthian"
Foam Accents w/ Painted Plaster Finish	France Paint 7731W "Light Topaz"
Metal Panel	France Paint 7742W "Light Tones"
Not Used	France Paint 7751W "Beach Grass"
Not Used	France Paint 7824 "Desert Edge"
Not Used	France Paint 7846 "El Dorado"
Not Used	Tinted Glass
Not Used	Silver

MONTECITO
COMPANIES

THE MONTECITO MARKETPLACE

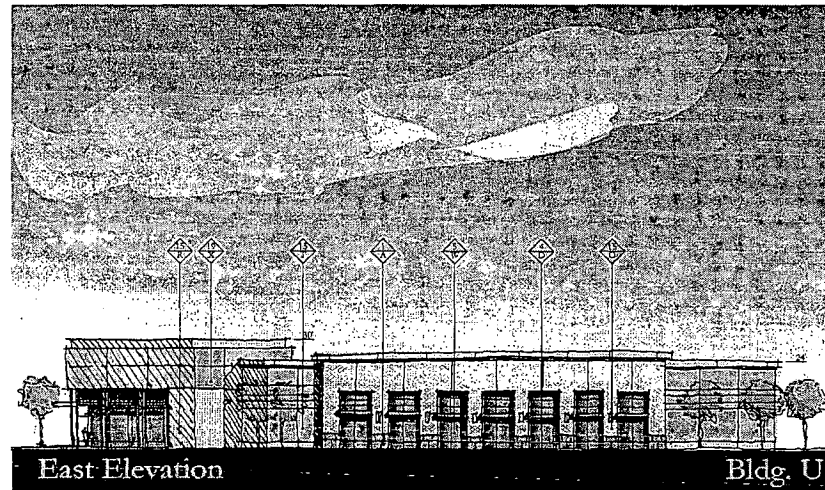
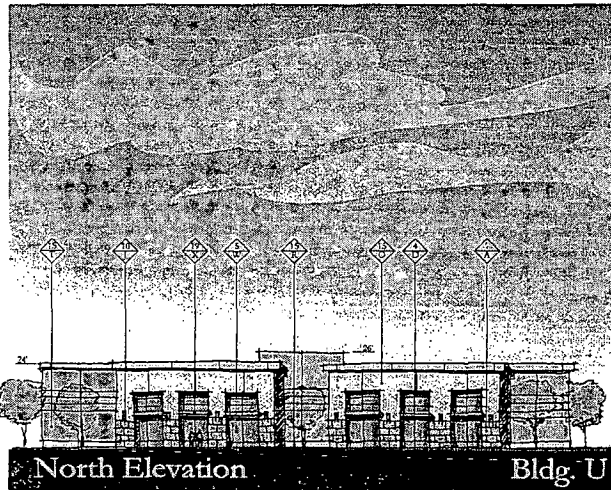
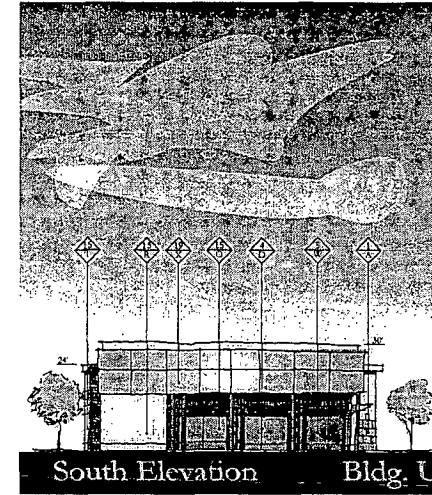
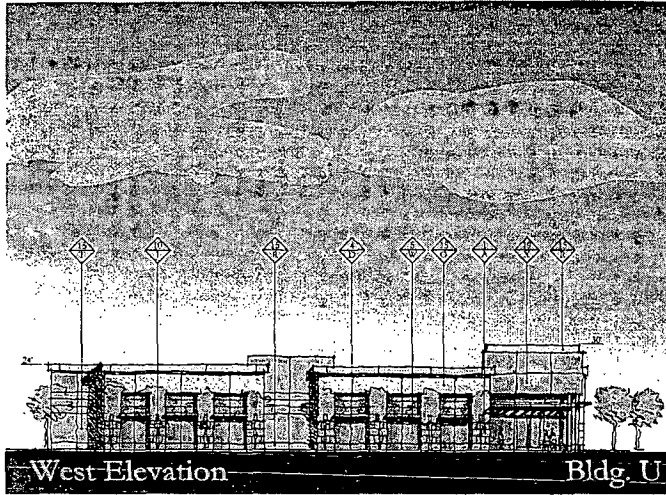
Typical Pad Building Conceptual Elevations

SCALE: 1" = 16'-0"
0' 8' 16' 32' 64'
DATE: January 27, 2004



SDR-3764

03-11-04 PC



MATERIAL	FINISH
Cultured Stone Veneer	Platinum Pro-Fix Ledgerstone (PF-8017)
Ceramic Roof Tile Roof	US Tile "Newport Blend"
Standing Seam Metal Roofing	Simulated Copper Panels
Aluminum Scaffolding	Vista Wall "Champagne" 699
Stonefront Glazing	Clear Glass
Spandrel Glazing	KCD Opaci-Coat-300 #2-0213 "Aged Copper"
Stained Wood	Olympic Deck Stain "Clove Brown"
Metal Accent	Tiger Drylok Powder Coating "RAL 9008"
Channel Letter Tenant Sign	Various Colors
Exterior Light Scones	Light Bronze
Goncowick Light Fixture	Dark Bronze
Wrought Iron Railing	Black
Fabric Awning	Sundrella Various Colors
Precast Concrete Planter	Quick Crest "Colonial Brick" C12
Painted Exterior Cement Plaster	Freeze Paint CW057W "White Solitude"
Foam Cornice w/ Painted Plaster Finish	Freeze Paint CW033W "Floral White"
Foam Trim w/ Painted Plaster Finish	Freeze Paint 7730W "Cocinthian"
Foam Accent w/ Painted Plaster Finish	Freeze Paint 7731W "Light Topaz"
Metal Panel	Freeze Paint 7742W "Light Toast"
Not Used	Freeze Paint 7751W "Beach Grass"
Not Used	Freeze Paint 7824 "Desert Ridge"
Not Used	Freeze Paint 7846 "Eldorado"
Not Used	Tinted Glass
Not Used	Silver



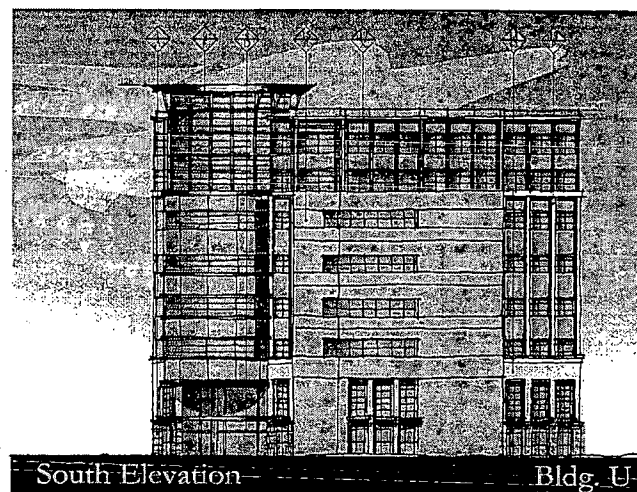
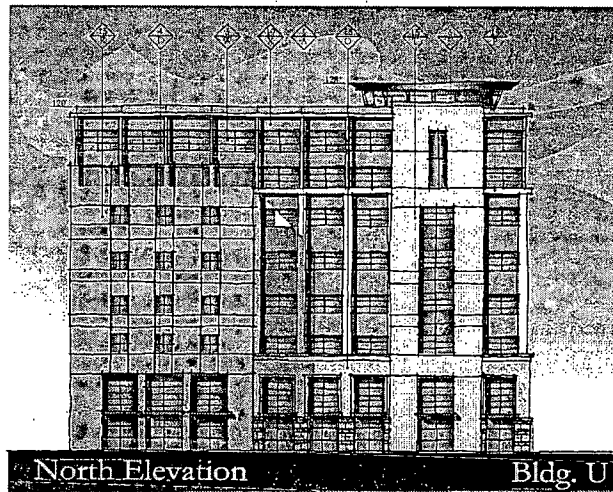
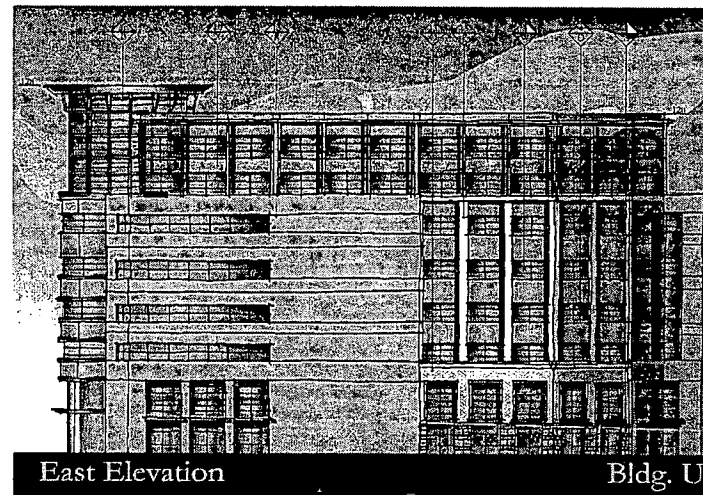
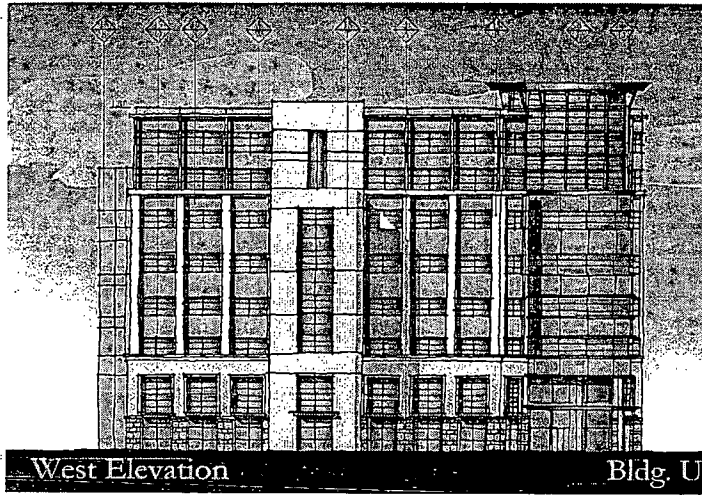
THE MONTECITO MARKETPLACE

Typical One-Story Office Conceptual Elevations

SCALE: 1" = 20'-0"
 0' 10' 20' 40' 60'
 DATE: January 27, 2004



SDR-3764
 03-11-04 PC



MATERIAL	FINISH
Cultured Stone Veneer	Platinum Pro-Fit Ledgerone (PFS 8017)
Ceramic Roof Tile Roof	US Tile "Newport Blend"
Standing Seam Metal Roofing	Simulated Copper Patina
Aluminum Storefront	Vista Wall "Champagne" 699
Storefront Glazing	Clear Glass
Spandrel Glazing	KCD Opac-Gloss-300 #2-0213 "Aged Copper"
Stained Wood	Olympic Deck Stain "Cane Brown"
Metal Accent	Tiger-Dryer Powder Coating "RAL 8008"
Channel Letter Tenant Sign	Various Colors
Rasterize Light Sconce	Light Bronze
Crossweck Light Fixture	Dark Bronze
Wrought Iron Railing	Black
Fabric Awning	Sunbrella Various Colors
Precast Concrete Planter	Quick Cure "Colonial Brick" C12
Painted Exterior Cement Plaster	Praxair Paint CW037W "White Solitude"
Painted Cornice w/ Painted Plaster Finish	Praxair Paint CW033W "Floral White"
Painted Trim w/ Painted Plaster Finish	Praxair Paint 7730W "Corinthian"
Painted Accent w/ Painted Plaster Finish	Praxair Paint 7751W "Light Topaz"
Metal Panel	Praxair Paint 7742W "Light Tawny"
Not Used	Praxair Paint 7751W "Beach Grass"
Not Used	Praxair Paint 7824 "Desert Edge"
Not Used	Praxair Paint 7846 "Eldorado"
Not Used	Tinted Glass
Not Used	Silver



THE MONTECITO MARKETPLACE

Typical Eight-Story Office Conceptual Elevations

SCALE: 1" = 20'-0"
 0' 10' 20' 40' 80'
 DATE: January 27, 2004



SDR-3764
 03-11-04 PC

ELI

60'
125' B
SHOPS
7,500 SF

BUILDING "B"

DATE: 01/21/04
SCALE: 1" = 10'-0"

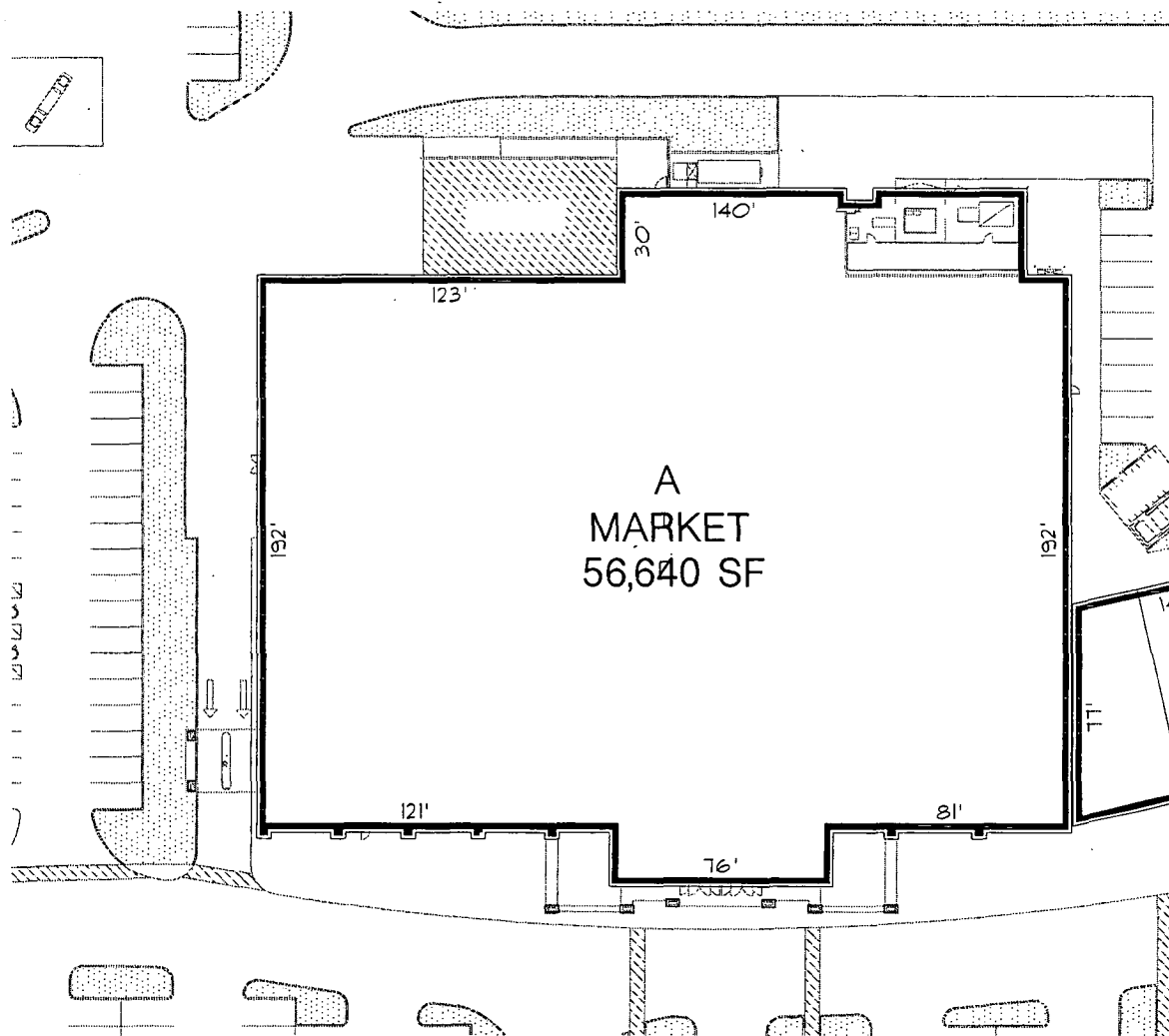
B

13' C
PAD
4,400 SF

BUILDING "C"

DATE: 01/21/04
SCALE: 1" = 10'-0"

C



BUILDING "A"

DATE: 01/21/04
SCALE: 1" = 10'-0"

A



3200 Howard Hughes Pkwy
Suite 400
Las Vegas, NV 89109
702-462-8200
702-462-8576 fax

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Corporate Office
Long Beach, CA

Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz-Ruth
ARCHITECTS

625 S. Ramp Drive • El Segundo

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

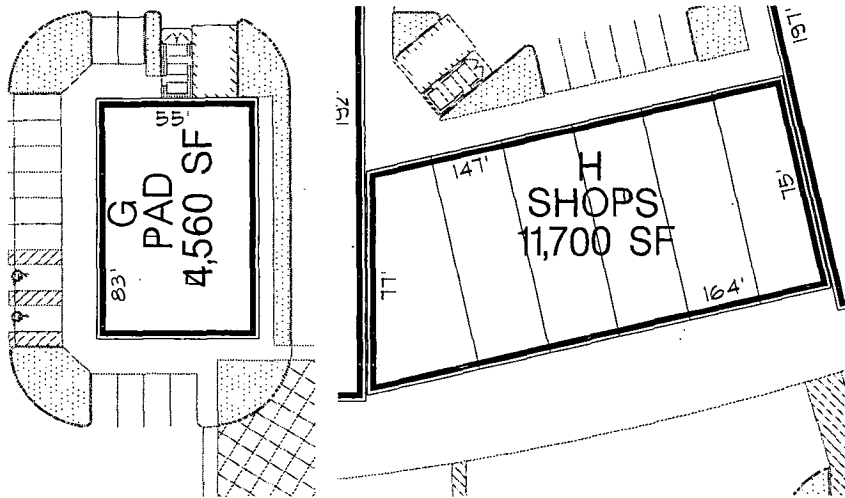
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Drawn By: mtk
Checked By: mtk
Project No.: 03-4321
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Floor Plans
FL-1

SDR-3764

03-11-04 PC

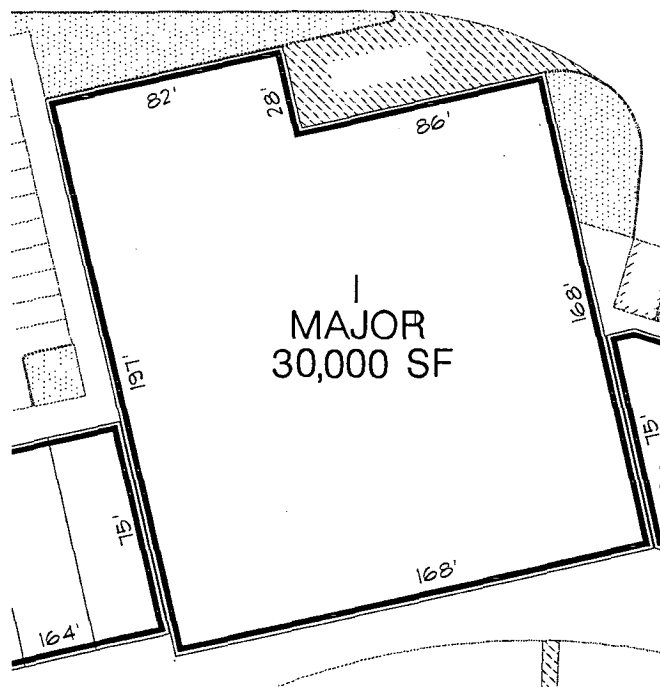


BUILDING "G" AND "H"



DATE: 01/27/04
SCALE: 1" = 30'-0"

G&H

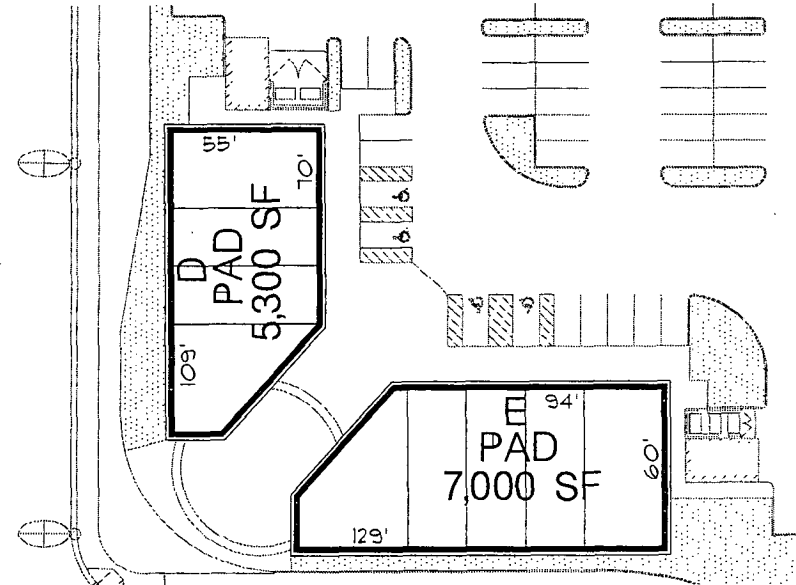


BUILDING "I"



DATE: 01/27/04
SCALE: 1" = 30'-0"

I

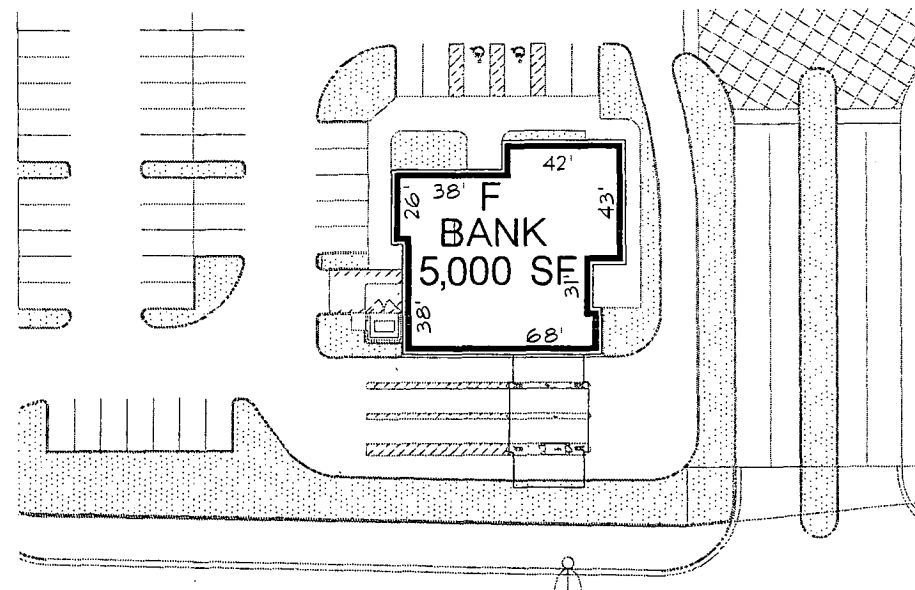


BUILDINGS "D" AND "E"



DATE: 01/27/04
SCALE: 1" = 30'-0"

D&E



BUILDING SDR-3764



DATE: 01/27/04
SCALE: 1" = 30'-0"

F



3380 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89119
702-492-8500
702-492-8518 fax

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Corporate Office
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Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Perkowitz + Ruth
ARCHITECTS

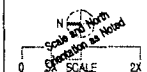
520 Alhambra Blvd • 4th Floor
Las Vegas, NV 89101

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

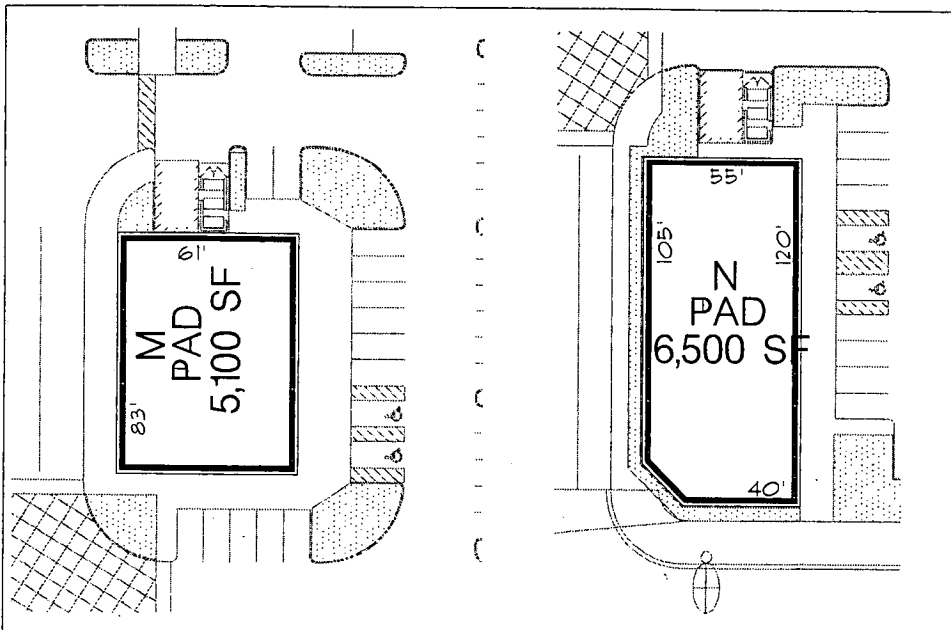
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3	

Date: 01/27/04
Drawn By: mk
Checked By: mk
Project No: 03-6221
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Floor Plans
FL-2

03-11-04 PC

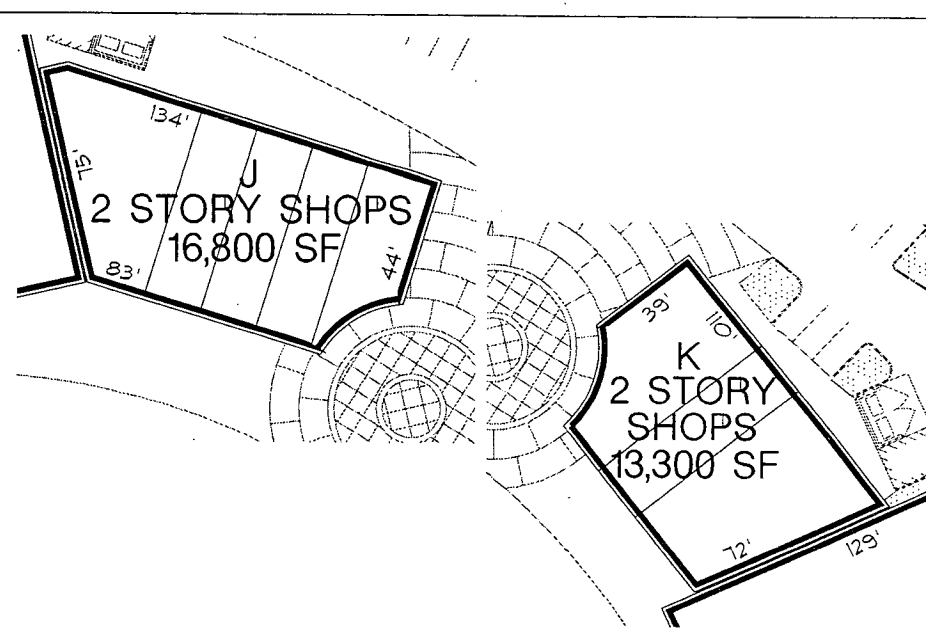


BUILDINGS "M" AND "N"



DATE: 01/21/04
SCALE: 1" = 30'-0"

M&N

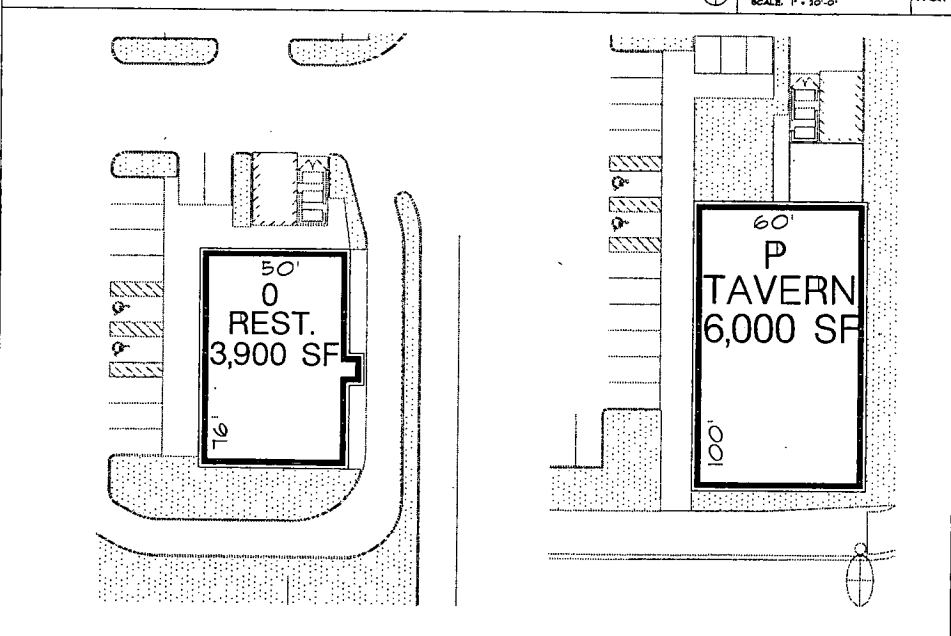


BUILDINGS "J" AND "K"



DATE: 01/21/04
SCALE: 1" = 30'-0"

J&K

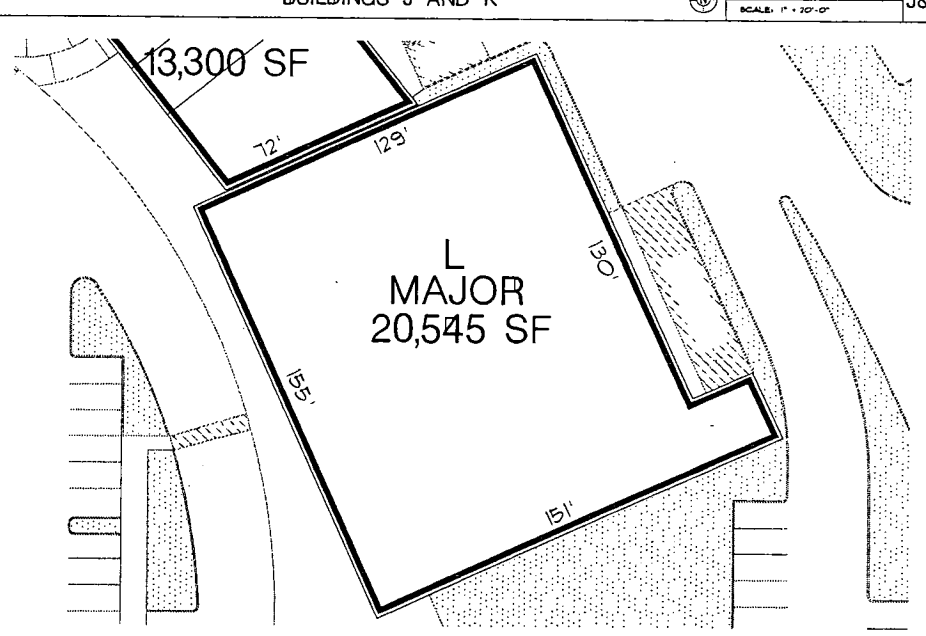


BUILDINGS "O" AND "P"



DATE: 01/21/04
SCALE: 1" = 30'-0"

O&P



BUILDING "L"



DATE: 01/21/04
SCALE: 1" = 30'-0"

L



3080 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
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702-822-8501 fax
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Corporate Office:
Long Beach, CA

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Newport Beach, CA
Washington, DC
Portland, OR

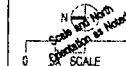
Client Information

MONTECITO
COMPANIES

Parkowitz Ruth
ARCHITECTS
5000 Alameda Drive • El Dorado Hills
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/21/04
Drawn By: mk
Checked By: mk
Project No: 03-4321
File Name: 0304321.dwg
Scale: 1" = 30'-0" (As Noted)



Floor Plans
FL-3

SDR-3764

03-11-04 PC



3980 Howard Hughes Pkwy
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Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

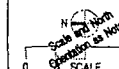
Perkowitz + Ruth
ARCHITECTS

525 O'Farrell Ave. - El Segundo, CA

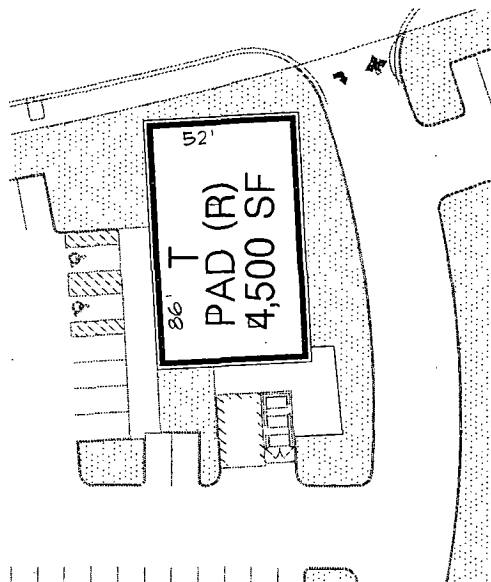
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/27/04
Drawn By: mk
Checked By: nj
Project No.: 03-432.11
File Name: D0043209.dwg
Scale: 1" = 1/4" Horizontal



Floor Plans
FL-4

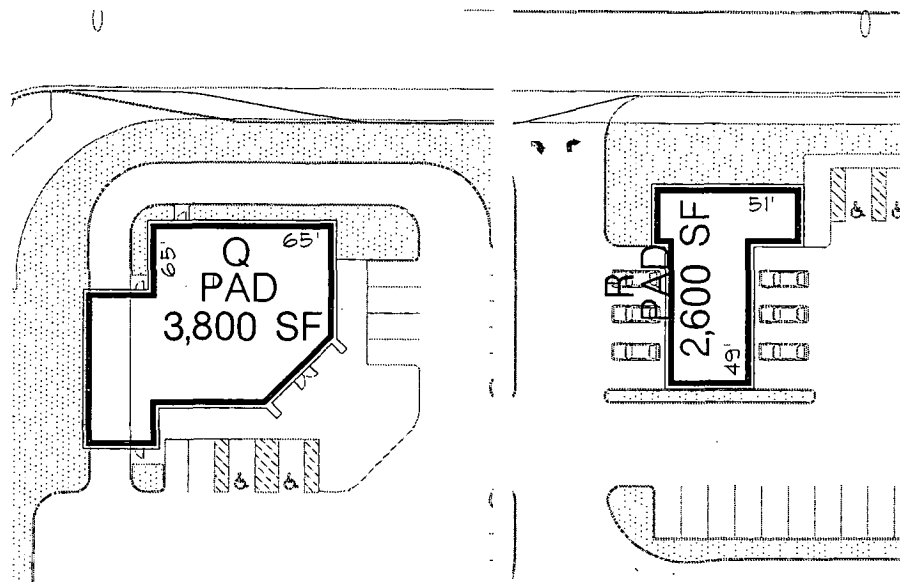


BUILDING "T"



DATE: 01/21/04
SCALE: 1" = 20'-0"

T

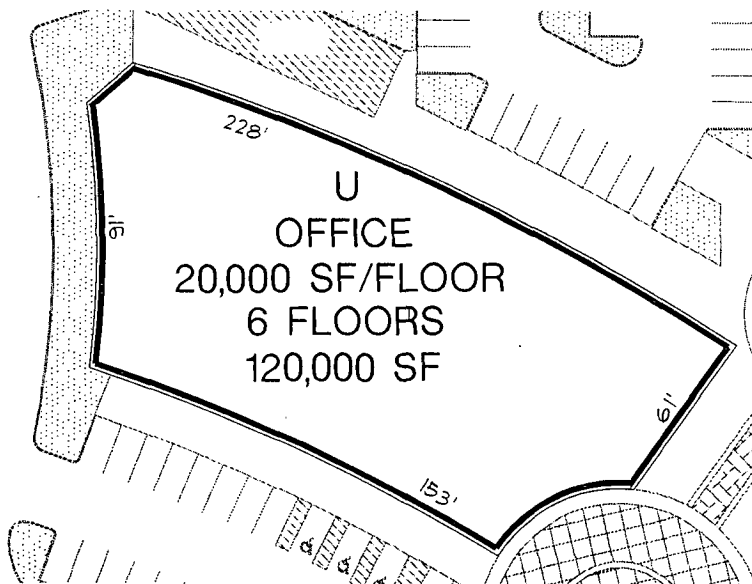


BUILDINGS "Q" AND "R"



DATE: 01/21/04
SCALE: 1" = 20'-0"

Q&R

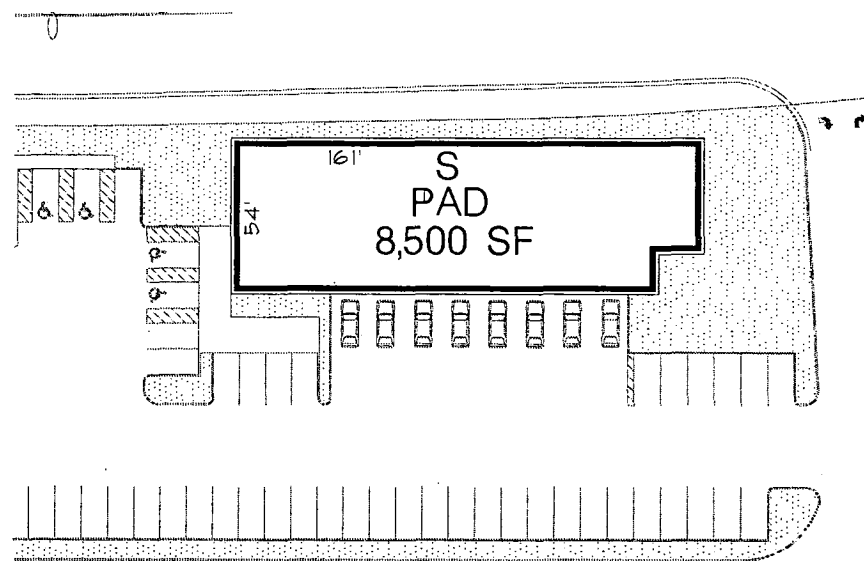


BUILDING "U"



DATE: 01/22/04
SCALE: 1" = 20'-0"

U



BUILDING "S"

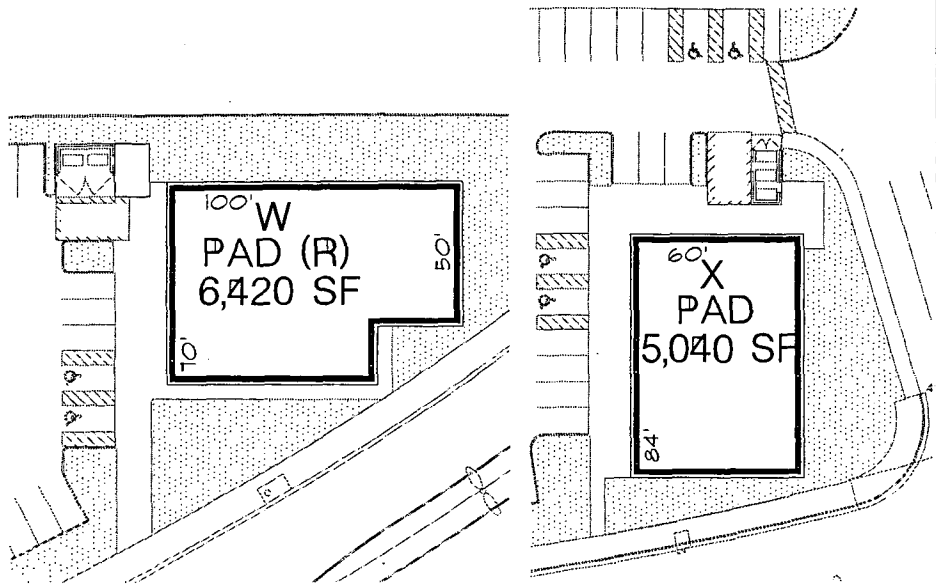


DATE: 01/22/04
SCALE: 1" = 20'-0"

S

SDR-3764

03-11-04 PC

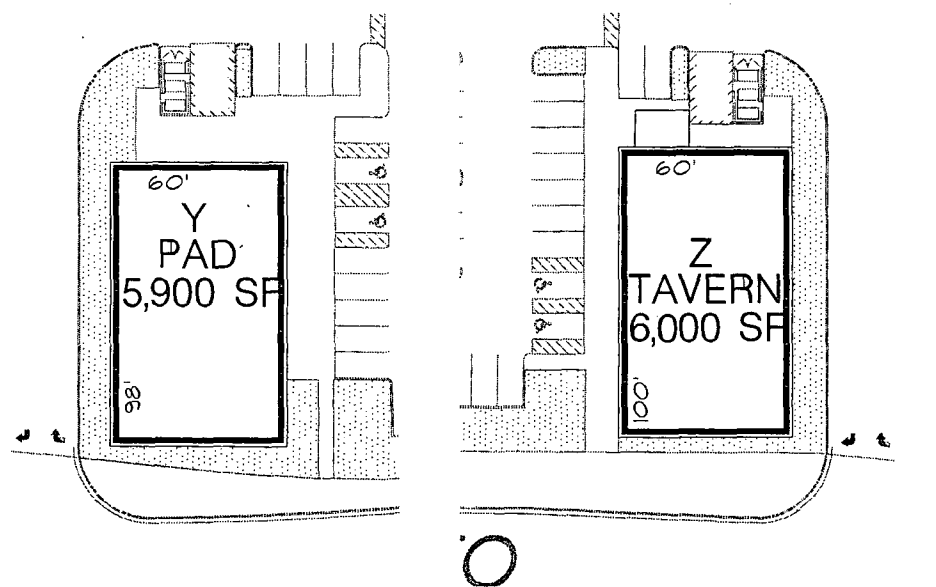


BUILDINGS "W" AND "X"



DATE: 01/21/04
SCALE: 1" = 30'-0"

W&X

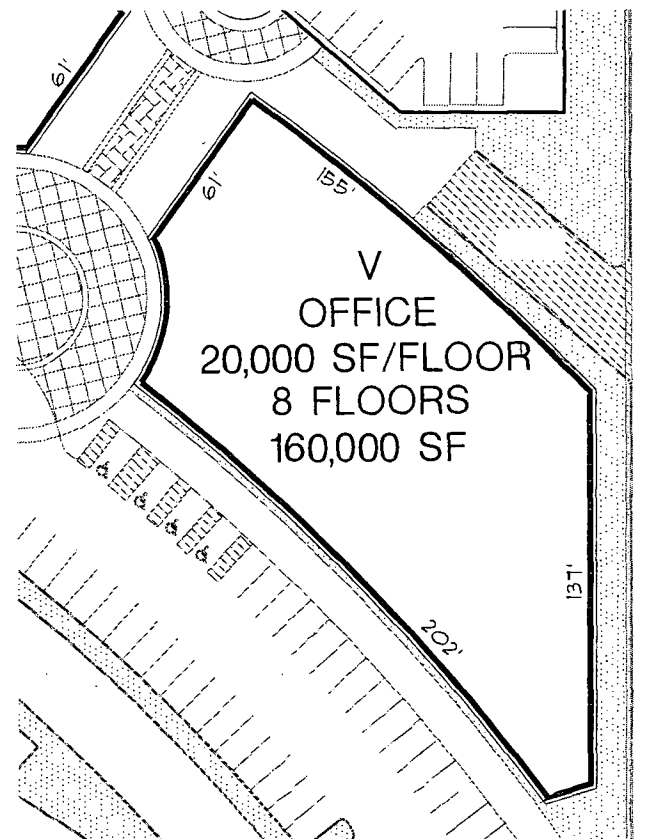


BUILDINGS "Y" AND "Z"



DATE: 01/21/04
SCALE: 1" = 30'-0"

Y&Z



BUILDING "V"



DATE: 01/21/04
SCALE: 1" = 30'-0"

V



3590 Howard Hughes Pkwy
Suite 450
Las Vegas, NV 89169
702-492-8320
702-492-8578 fax

www.parkowitzruth.com

Corporate Office
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Regional Offices:
Newport Beach, CA
Washington, DC
Portland, OR

Client Information

MONTECITO
COMPANIES

Parkowitz + Ruth
ARCHITECTS

3500 Howard Hughes Pkwy - Suite 450
Las Vegas, NV 89169

MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

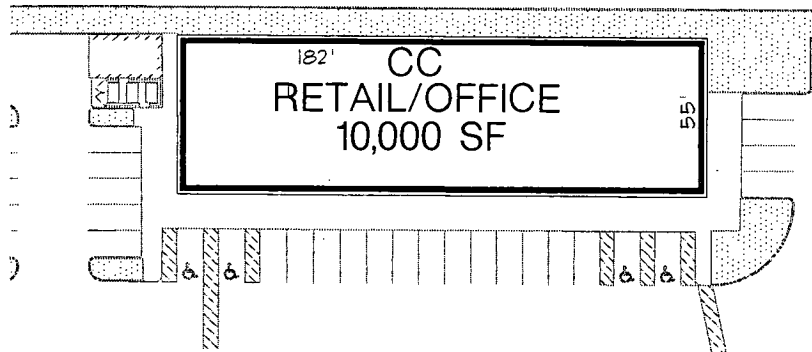
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Drawn By: mk
Checked By: ml
Project No.: 03-4223
File Name: 03063205.dwg
Scale: T = (As Noted)



Floor Plans
FL-5

SDR-3764

03-11-04 PC

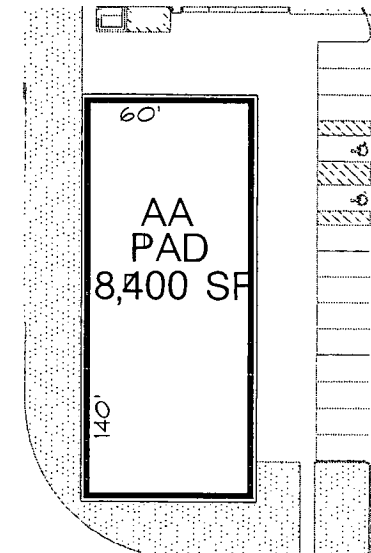


BUILDING 'CC'



DATE: 01/21/04
SCALE: 1" = 20'-0"

CC

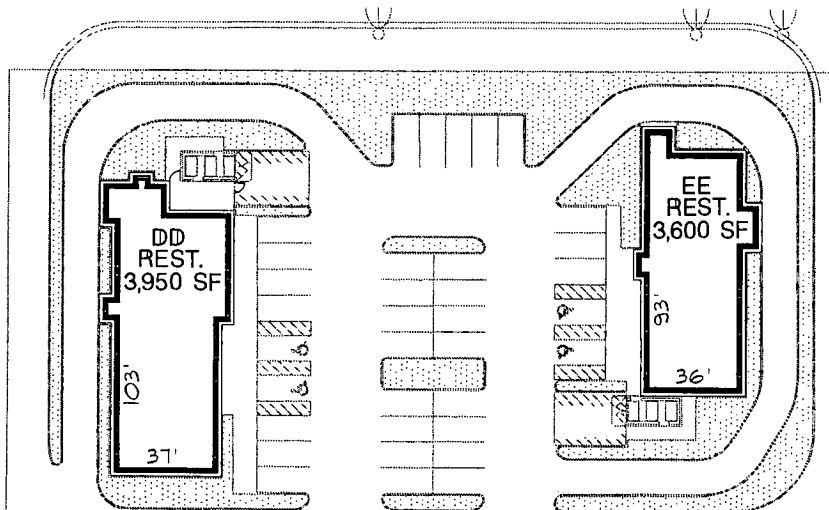


BUILDING 'AA'



DATE: 01/21/04
SCALE: 1" = 20'-0"

AA

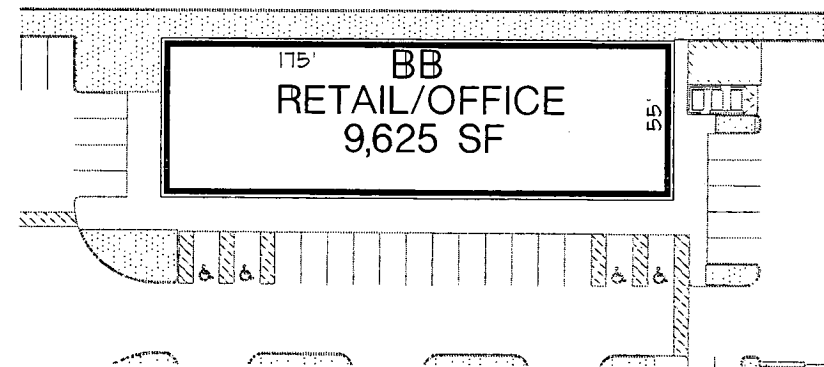


BUILDINGS 'DD' & 'EE'



DATE: 01/21/04
SCALE: 1" = 20'-0"

DD & EE



BUILDING 'BB'



DATE: 01/21/04
SCALE: 1" = 20'-0"

BB



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Client Information

MONTECITO
COMPANIES

Perlowitz & Ruth
ARCHITECTS
520 S. Ramp Blvd. • Ocean Blvd.
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/21/04
Drawn By: m
Checked By: m
Project No: 03-4321
File Name: 0304321.dwg
Scale: 1" = 16' Note

North
Scale and North
Orientation as Noted
0 1X SCALE 2X

Floor Plans
FL-6

SDR-3764

03-11-04 PC

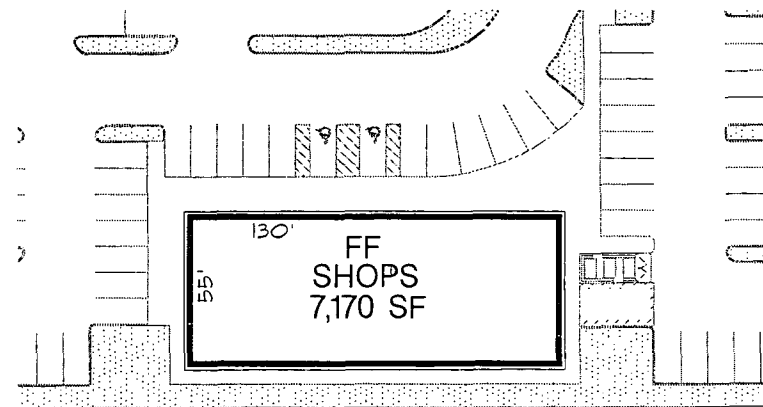


BUILDING "HH"



DATE: 01/27/04
SCALE: 1" = 30'-0"

HH

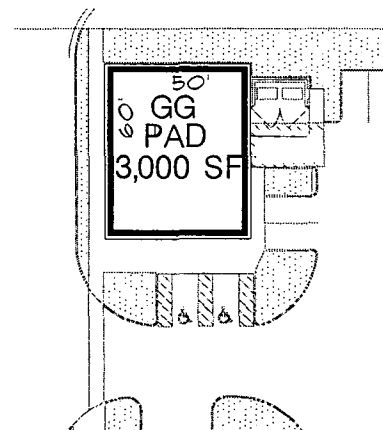


BUILDING "FF"



DATE: 01/27/04
SCALE: 1" = 30'-0"

FF



BUILDING "GG"



DATE: 01/27/04
SCALE: 1" = 30'-0"

GG



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Portland, OR

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MONTECITO
COMPANIES

Perkowitz-Roth
ARCHITECTS
SEC of Durango Blvd + Elbow Road
MONTECITO MARKETPLACE
Las Vegas, NV

Revisions

Date: 01/27/04
Drawn By: mk
Checked By: nj
Project No: 03-43231
File Name: D0033207.dwg
Scale: T = (As Noted)

Scale 1/8" = 1'-0"
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SCALE 2X

Floor Plans
FL-7

SDR-3764

03-11-04 PC

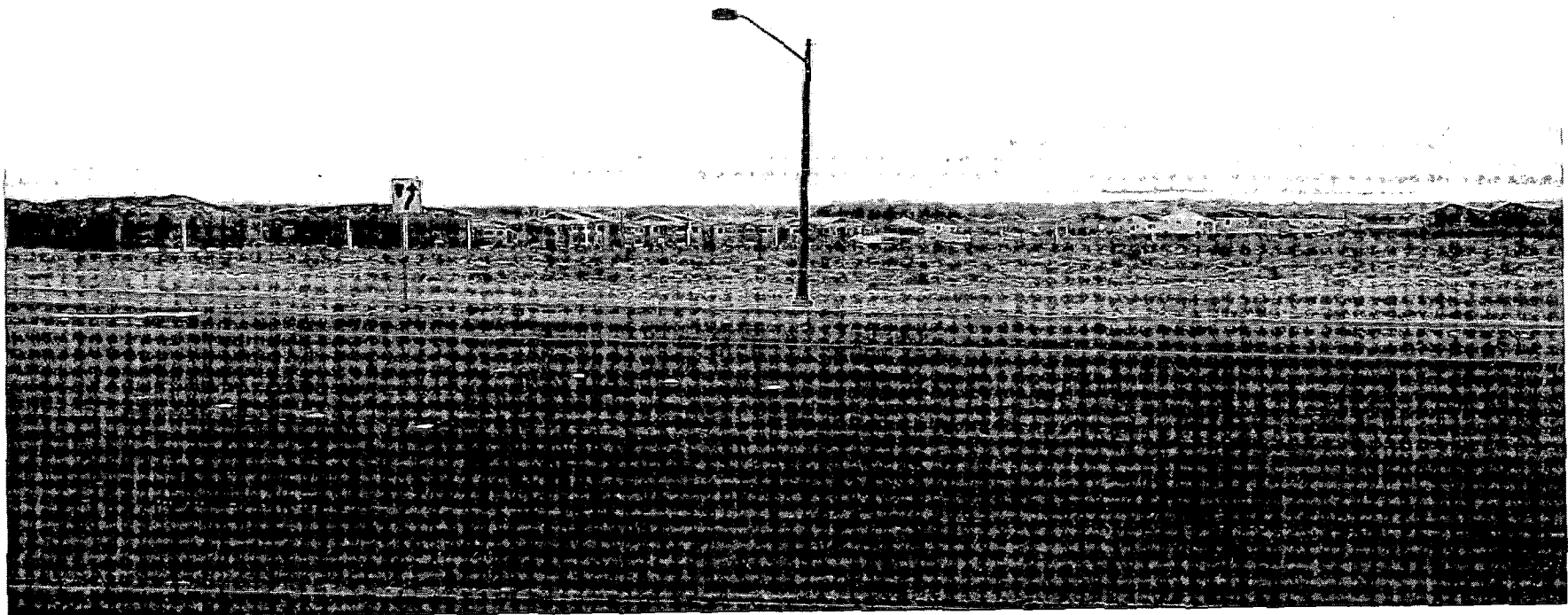


SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04



SDR-3764 - APPLICANT: MONTECITO COMPANIES, LIMITED LIABILITY COMPANY - OWNER: MTC-118, INC.

ADJACENT TO THE SOUTHEAST CORNER OF ELKHORN ROAD AND DURANGO DRIVE

MARCH 11, 2004 PLANNING COMMISSION

02/23/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 7, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION TO THE LONE MOUNTAIN MASTER PLAN - PUBLIC HEARING - **MOD-3758 - APPLICANT: FRED LESSMAN** - Request for a Major Modification to the Lone Mountain Master Plan TO ALLOW A MINI-WAREHOUSE FACILITY AS A PERMITTED USE IN THE VILLAGE COMMERCIAL SPECIAL LAND USE DESIGNATION with the approval of a Special Use Permit, Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 145 [MOD-3758], Item 146 [SUP-4009], and Item 147 [SDR-3759].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She concurred with staff recommendations and conditions with the exception of Condition 3 of the Site Development Plan Review. Referring to the overhead, ATTORNEY LAZOVICH stated that the proposed signage will take on the same architectural features of the tower structures that are indicated on the site plan. She stated that the Code only allows for two wall signs but the applicant desires a total of four. ATTORNEY LAZOVICH explained that the proposal is for an illuminated sign facing towards the Beltway and a non-illuminated wall sign facing north. Adjacent to Shady Timber, the applicant proposes illuminated signage facing south, with the signage facing the east towards the homes being non-illuminated to avoid any intrusion to those residents. With regard to concerns expressed by an adjacent neighbor, ATTORNEY LAZOVICH requested the tower height be reduced from 33 feet 8 inches to a maximum height of 28 feet.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 145 – MOD-3758

MINUTES – Continued:

Prior to the motion on Item 147 [SDR-3759], ROBERT GENZER, Director of Planning and Development Department, noted that the original request relative to the number of storage units was 616. ATTORNEY LAZOVICH replied that the applicant had previously agreed to the reduction of units to 600 as noted in Condition 3.

MAYOR GOODMAN declared the Public Hearing closed on Item 145 [MOD-3758], Item 146 [SUP-4009], and Item 147 [SDR-3759].

NOTE: All discussion for Item 145 [MOD-3758], Item 146 [SUP-4009], and Item 147 [SDR-3759] was held under Item 145 [MOD-3758].

(2:08 – 2:16)

3-2487

CONDITIONS:

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan, as appropriate, and as amended by this request.

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-3758 - APPLICANT: FRED LESSMAN

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the Lone Mountain Master Development Plan, as appropriate, and as amended by this request.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Major Modification to the Lone Mountain Master Development Plan, to add "Mini-Storage Facility" to the VC (Village Commercial) special land use designation, with the approval of a Special Use Permit. The applicant is concurrently submitting applications for such a Special Use Permit (SUP-4009) and for a Site Development Plan Review (SDR-3759) and a reduction in the amount of perimeter landscaping for a 97,750 square-foot Mini-Storage Facility on the west side of Shady Timber Street approximately 900 feet north of Cheyenne Avenue.

B) Applicant's Justification

The applicant has justified this request by stating that storage facilities with this design are located around the Las Vegas valley, and that their unique design and color scheme ensures that they blend with adjacent commercial and residential structures.

BACKGROUND INFORMATION

A) Previous Actions

03/11/04 The Planning Commission recommended approval of related items: a Special Use Permit (SUP-4009) and a Site Development Plan Review (SDR-3759) and a reduction in the amount of perimeter landscaping for a 97,750 square-foot Mini-Storage Facility on a site on the west side of Shady Timber Street approximately 900 feet north of Cheyenne Avenue. Staff has recommended approval.

03/11/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #18/gl).

B) Pre-Application Meeting

01/13/04 At the pre-application meeting, the applicant was advised that the Major Modification to allow the use with Special Use Permit status would be required. Design issues related to the site plan application included the appearance and design of perimeter walls of the development, the proposed advertising signs on the site, the need to address the requirement by Clark County to the Beltway lands to the west of the site, the waivers of landscape setback standards based on the proposed site plan and the need for response to Public Works issues through a drainage study and required half-street improvements.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Major Modification application.

DETAILS OF APPLICATION REQUEST

This request will potentially affect any land within the Lone Mountain Master Development Plan area that is, or will in the future be, designated as VC (Village Commercial). The proposed Major Modification seeks to add the Mini-Warehouse Facility use class, with the approval of a Special Use Permit, to the list of uses allowed within the VC (Village Commercial) special land use designation.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The Major Modification will have no effect on zoning regulations or other development standards, other than those contained within the VC (Village Commercial) special land use designation of the Lone Mountain Master Development Plan.

B) General Analysis and Discussion

The proposed Major Modification is appropriate in that it will add a relatively low-intensity commercial use to the Village Commercial category. This use is suitable as a transitional commercial use between residential and higher intensity commercial sites, and provides a surplus storage service that is preferred in close proximity to residential areas. As a result, it is recommended that this request be approved.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

All land designated as VC (Village Commercial) within the Lone Mountain Master Development Plan area is designated in the General Plan as PCD (Planned Community Development). The subject request is consistent with the intent of this General Plan designation.

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."

The Major Modification would allow Mini-Warehouse uses within the VC (Village Commercial) land use designation within the Lone Mountain area. The proposed use would be compatible with apartments and single-family residential development on adjacent or nearby sites.

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

The applicant has indicated no information to support the need for the addition of the Mini-Warehouse use category to the VC designation; however, this use is not allowed anywhere in the Lone Mountain Master Development Plan area at present, and if allowed, the VC designation would be the most suitable category for such a use.

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."

This request will affect both of the areas designated as VC (Village Commercial) in the Lone Mountain Master Development Plan. Although both of these areas have access to Cheyenne Avenue, designated as a Primary (100-foot) Arterial and as a Secondary (80-foot) Collector west of the Beltway, on the Master Plan of Streets and Highways, the site which is the subject of the companion Site Development Plan Review (SDR-3759) only has access to Shady Timber Street, a local 60-foot street. Many VC commercial uses have a higher intensity that are well suited to access to a Primary Arterial or Secondary Collector; however, given the low traffic generation that can be expected from the proposed Mini-Warehouse Facility use, it is anticipated that this street will be adequate in size to meet the requirements of the project as proposed.

NOTICES MAILED Newspaper Only

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: MOD-3758 APN: _____

Name of Property Owner: SILVER STATE SELF STORAGE LLC

Name of Applicant: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

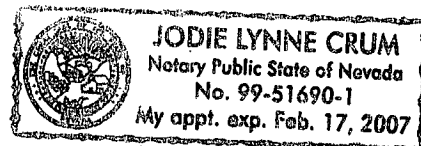
Print Name: _____

Philip H. Davis

Subscribed and sworn before me

This 22nd day of December, 2003

Jodie Lynne Crum
Notary Public in and for said County and State



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: APRIL 7, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO MOD-3758 - PUBLIC HEARING - SUP-4009 -
APPLICANT: FRED LESSMAN - OWNER: SHADOWS HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A MINI-WAREHOUSE FACILITY on the west side of Shady Timber Street, 900 feet north of Cheyenne Avenue (APN: portions of 137-12-801-001 and 137-12-401-022) U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [VC (Village Commercial) Lone Mountain Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – Motion carried with MACK not voting

MINUTES:

NOTE: See Item 145 [MOD-3758] for related discussion.

(2:08 – 2:16)

3-2487

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mini-Warehouse use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3758) and Site Development Plan Review [SDR-3759].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF APRIL 7, 2004
Planning and Development Department
Item 146 – SUP-4009

CONDITIONS – Continued:

4. All City Code requirements and design standards of all City departments must be satisfied.

CASE: SUP-4009

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO PD (PLANNED DEVELOPMENT) ZONE [VC (VILLAGE COMMERCIAL) LONE MOUNTAIN SPECIAL LAND USE DESIGNATION] 140

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 7, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-4009 - APPLICANT: FRED LESSMAN - OWNER:
SHADOWS HILLS PLAZA, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mini-Warehouse use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3758) and Site Development Plan Review [SDR-3759].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Special Use Permit for a "Mini-Warehouse Facility" use on the west side of Shady Timber Street approximately 900 feet north of Cheyenne Avenue. The applicant is concurrently submitting applications for a Major Modification (MOD-3758) to the Lone Mountain Master Development Plan, to add "Mini-Warehouse Facility" to the VC (Village Commercial) special land use designation, and a Site Development Plan Review (SDR-3759) and a reduction in the amount of perimeter landscaping and a waiver of maximum wall height and maximum number of wall signs for a 97,750 square-foot Mini-Warehouse Facility on the site.

B) Applicant's Justification

The applicant has justified this request by stating that storage facilities with this design are located around the Las Vegas valley, and that their unique design and color scheme ensures that they blend with adjacent commercial and residential structures.

BACKGROUND INFORMATION

A) Previous Actions

- 06/23/97 The City Council approved a request for Rezoning (Z-0033-97) on property generally located on the north side of Cheyenne Avenue, east and west of Hualapai Way, including the subject site, from C-V (Civic), N-U (Non-Urban) and N-U (Non-Urban) under Resolution of Intent to R-CL (Single Family Compact Lot) and R-PD9 (Residential Planned Development - 9 Units per Acre). Staff had recommended approval. The Planning Commission recommended approval on 06/12/97.
- 09/07/94 The City Council approved a request to annex (A-0006-94) approximately 203 acres of land to the city, including the subject parcel. The Planning Commission recommended approval on 06/09/94. The effective date of this annexation was 09/16/94.
- 02/12/04 The Planning Commission recommended approval of a request for a Site Development Plan Review (SDR-3751) and a Waiver of the foundation landscaping buffer for a proposed 87,790 square-foot retail center, and for a Special Use Permit (SUP-3653) to allow a Liquor Establishment (Off Premise Consumption) in conjunction with a Wal-Mart Neighborhood Market, on 11.73 acres adjacent to the northwest corner of Cheyenne Avenue and Shady Timber Street, directly south of the subject site. Staff had recommended approval of both requests. These requests will be considered at the 03/17/04 meeting of the City Council.

03/11/04 The Planning Commission recommended approval of related items: a Major Modification (MOD-3758) to the Lone Mountain Master Development Plan, to add "Mini-Warehouse Facility" to the VC (Village Commercial) special land use designation, and a Site Development Plan Review (SDR-3759) for a 97,750 square-foot Mini-Storage Facility on a site on the west side of Shady Timber Street approximately 900 feet north of Cheyenne Avenue. Staff has recommended approval.

03/11/04 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #19/gl).

B) Pre-Application Meeting

01/13/04 At the pre-application meeting, the applicant was advised that the Major Modification to allow the use with Special Use Permit status would be required. Design issues related to the site plan application included the appearance and design of perimeter walls of the development, the proposed advertising signs on the site, the need to address the requirement by Clark County to the Beltway lands to the west of the site, the waivers of landscape setback standards based on the proposed site plan and the need for response to Public Works issues through a drainage study and required half-street improvements.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.57

B) Existing Land Use

Subject Property: Undeveloped
North: Apartments
South: Undeveloped (proposed for Shopping Center)
East: Single Family Dwellings
West: Beltway

C) Planned Land Use

Subject Property: PCD (Planned Community Development) [VC (Village Commercial)
Lone Mountain Special Land Use Designation]
North: PCD (Planned Community Development) [M (Multi-Family Medium)
Lone Mountain Special Land Use Designation]
South: PCD (Planned Community Development) [VC (Village Commercial)
Lone Mountain Special Land Use Designation]

East: PCD (Planned Community Development) [MLA (Medium-Low Attached) Lone Mountain Special Land Use Designation]
 West: Beltway (Clark County)

D) Existing Zoning

Subject Property: U (Undeveloped) under Resolution of Intent to PD (Planned Development)
 North: U (Undeveloped) and PD (Planned Development)
 South: U (Undeveloped) under Resolution of Intent to PD (Planned Development)
 East: PD (Planned Development)
 West: Beltway (Clark County)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan with a PCD (Planned Community Development) land use designation, which allows a mix of residential uses with a density of two to eight units per acre, and which allows commercial projects as buffers. The site is also within the Lone Mountain Master Development Plan, and has a VC (Village Commercial) special land use designation. The VC designation does not allow Mini-Warehouse Facilities, but if companion Major Modification (MOD-3758) is approved, this Special Use Permit will comply with the Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Lone Mountain	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Special Area Plan

The subject site is located within the Lone Mountain Master Plan area with a VC (Village Commercial) land use designation. The Village Commercial category address projects on parcels of not more than 20 acres and with a Floor Area Ratio of less than 30% gross coverage. Village Commercial allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and does not include more intense general commercial characteristics. Village Commercial is typically located on the periphery of residential neighborhoods and is confined to the intersections of major arterials and major freeways.

INTERAGENCY ISSUES

This project is not deemed to be a "Project of Regional Significance", pursuant to Ordinance No. 5477, as it does not meet the necessary conditions. As a result, no Environmental Impact Assessment questionnaire was circulated to the area Agencies and Entities.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Mini-Warehouse Facility	97,749 s.f.	1 space/50 storage units +5 spaces outside the security fence	17 spaces (limits development to 600 storage units)	1 space	17 spaces	1 space

The project meets the parking standards of the Code, with the exception that the site plan shows a total of 613 units, which slightly exceeds the requirements of the Code. A condition of approval of the Site Development Plan applications will limit the overall total number of units to 600 units.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Mini-Warehouse Facility use. There are no similar approved uses within the 1320-foot notification distance.

Pursuant to Title 19.08, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Walled, gated, roofed	Y

The proposal meets the requirements of the Code with respect to Special Use Permit conditions, and subject to approval of the waivers requested as part of companion Site Development Plan Review (SDR-3759).

B) General Analysis and Discussion

- Zoning

The site is zoned U (Undeveloped) and is under Resolution of Intent to PD (Planned Development) within the Lone Mountain Master Development Plan area. The PD (Planned Development) zoning district is consistent with the PCD General Plan designation, but the PD zoning district does not directly address the proposed Mini-Warehouse use; instead, the Lone Mountain VC (Village Commercial) special land use designation is being amended through MOD-3758 to add this use to the VC category, with the approval of a Special Use Permit, which is the subject of this application.

- Use

This application requests approval of a "Mini-Warehouse Facility" use, pursuant to the Lone Mountain Master Development Plan. Pending approval of companion Major Modification (MOD-3758), such a use will be allowable with the approval of a Special Use Permit. The specific conditions that apply to this use are those found in Title 19.04.050, as listed below.

There are no minimum separation distance provisions with respect to this use in Title 19 or the Lone Mountain Plan, and in any event, there are no similar uses within a quarter-mile of the overall subject site. As a result, the use appears to be acceptable, given the approved policies governing the area, and will serve a demand in the area.

- Conditions

The following are the minimum conditions from Title 19.04.050 for Mini-Warehouse, when a Special Use Permit is required:

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored

on the site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.

9. Truck and trailer storage shall be screened from the street and adjacent property.
10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

The application as submitted appears to comply with the above-noted requirements.

FINDINGS

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 development will be consistent with the existing and future surrounding uses, in accordance with the General Plan and the Lone Mountain Master Development Plan, subject to the requested waivers (two of which are recommended for denial) and with site plan changes as outlined in the conditions of approval.

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

Although the site has some topographical features, these will be incorporated into the overall site plan layout as proposed. The fact that this site is somewhat lower than the existing apartment development to the north will reduce any negative effects from the massing of this project and should not unduly restrict views from the development to the north. The proposed development is a low-intensity use and should be compatible with nearby commercial and residential uses.

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.”**

Access is provided via a driveway from Shady Timber Road, a 60-foot local street on the Master Plan of Streets and Highways. This street is adequate in size to meet the requirements of the proposed use and will not negatively impact neighborhood traffic.

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.”**

The subject site will be subject to City Business License requirements and periodic City inspections for code compliance, and will therefore not compromise the public health, safety and welfare.

NOTICES MAILED 343 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-4009 APN: 137-12-401-022

Name of Property Owner: _____

Name of Applicant: SILVER STATE SELF STORAGE LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

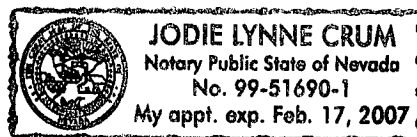
Signature of Property Owner/Authorized Agent: _____

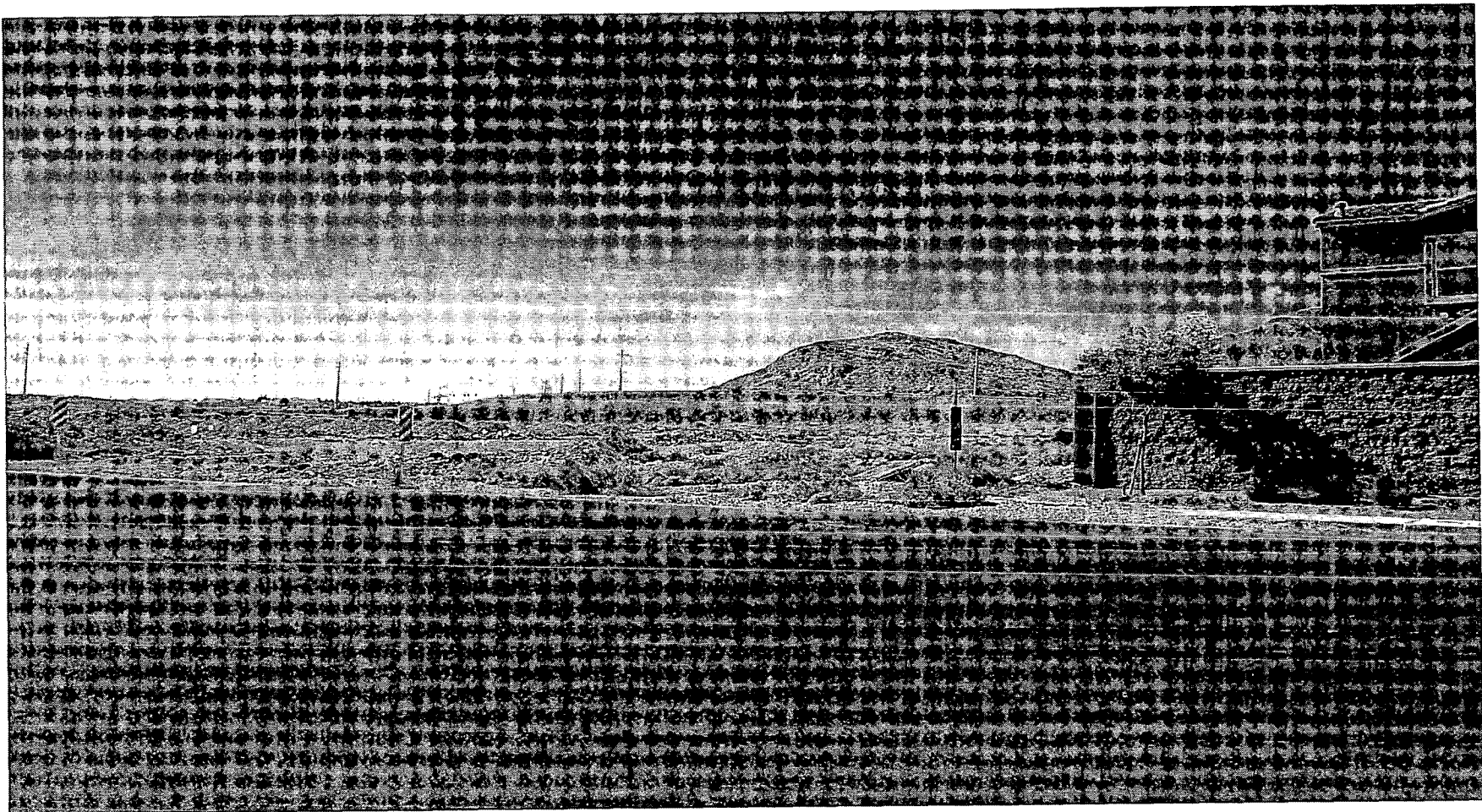
Print Name: Philip H. Davis

Subscribed and sworn before me

This 22nd day of December, 2003

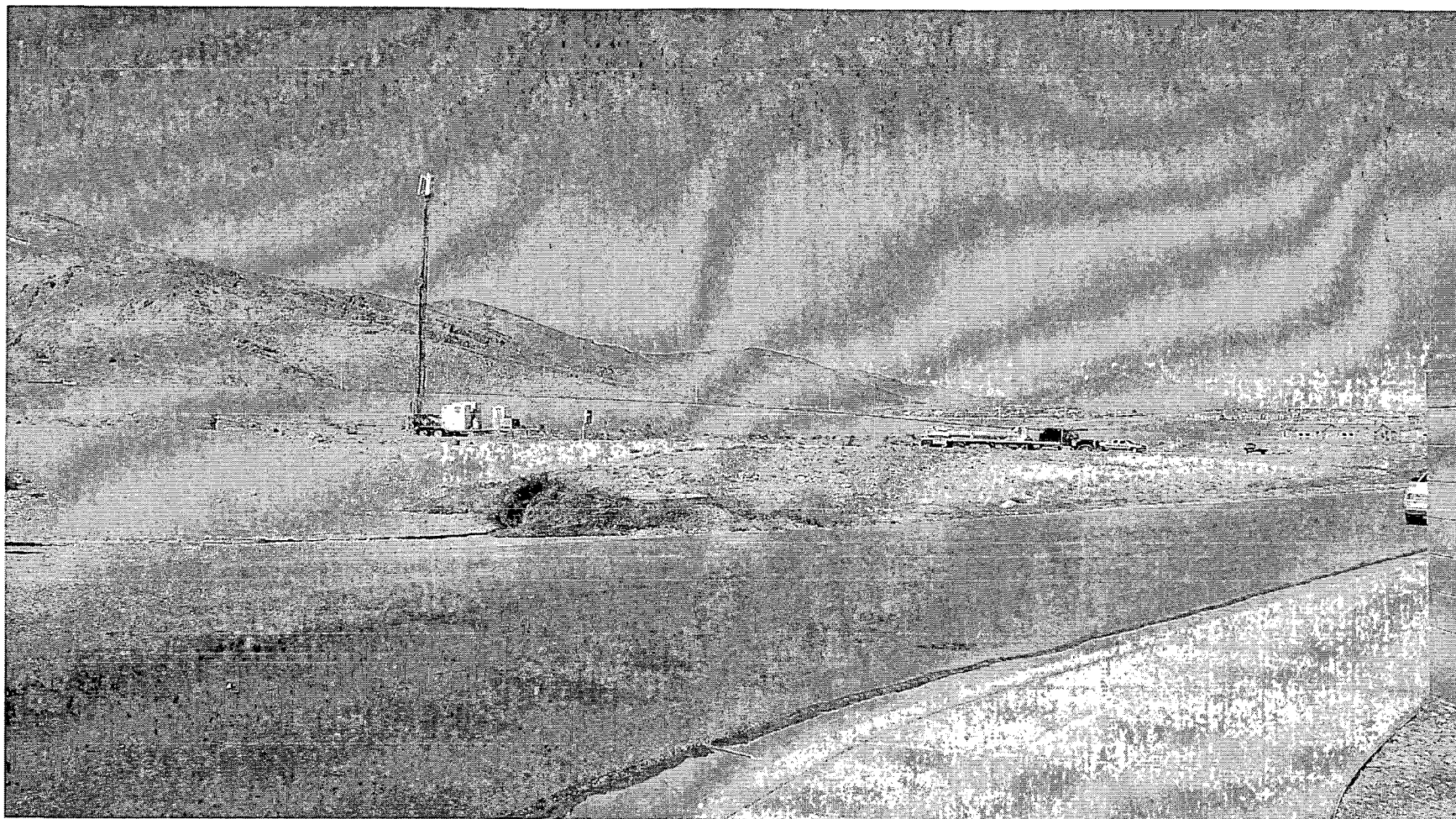
Jodie Lynne Crum
Notary Public in and for said County and State





SUP-4009 - APPLICANT: FRED LESSMAN - OWNER: SHADOWS HILLS PLAZA, LIMITED LIABILITY
COMPANY
WEST SIDE OF SHADY TIMBER STREET, 900 FEET NORTH OF CHEYENNE AVENUE
MARCH 11, 2004 PLANNING COMMISSION

02/19/04



SUP-4009 - APPLICANT: FRED LESSMAN - OWNER: SHADOWS HILLS PLAZA, LIMITED LIABILITY COMPANY
WEST SIDE OF SHADY TIMBER STREET, 900 FEET NORTH OF CHEYENNE AVENUE
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