



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ZON-14340 - APPLICANT: DARLENE MOORE - OWNER: MICHAEL E. WATSON**

---

**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (3-2/se/sd vote) recommends APPROVAL.

**Planning and Development**

1. A General Plan Amendment (GPA-14331) to an O (Office) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-14346) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**Public Works**

4. Remove all substandard public street and alley improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

The applicant is requesting a Rezoning from R-3 (Medium Density Residential) to P-R (Professional Office and Parking) on 0.19 acres at 4301 West Lake Mead Boulevard.

**EXECUTIVE SUMMARY**

The proposed Rezoning to a P-R (Professional Office and Parking) District is not compatible with the surrounding area. This request is inappropriate to its context as it would permit a use that otherwise would not be compatible with the surrounding area. As this request is not compatible with the neighborhood denial of this request is recommended.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 07/27/06 The Planning Commission (3-2/se/sd vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL on companion item GPA-14331. The Planning Commission recommended approval of companion item SDR-14346 concurrently with this application.
- 07/27/06 The Planning Commission voted 3-2/se/sd to recommend APPROVAL (PC Agenda Item #52/jm).

***B) Pre-Application Meeting***

- 06/02/06 A pre-application conference was held and elements of this development were discussed. It was noted that the proposed use is not permitted within the existing zone, that Rezoning would be necessary, and that a General Plan Amendment would be required.

***C) Neighborhood Meetings***

- 06/02/06 A neighborhood meeting was held at Westminster Presbyterian Church at 4601 West Lake Mead. Nine residents were in attendance. All were in favor of the development. Eight were property owners facing Lake Mead and they, too, wanted their properties to be rezoned to office.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres: 0.19

**B) Existing Land Use**

Subject Property: Single-Family Residential  
 North: Condominiums  
 South: Single-Family Residential  
 East: Single-Family Residential  
 West: Single-Family Residential

**C) Planned Land Use**

Subject Property: L (Low Density Residential) [Proposed: O (Office)]  
 North: ML (Medium-Low Density Residential)  
 South: L (Low Density Residential)  
 East: L (Low Density Residential)  
 West: L (Low Density Residential)

**D) Existing Zoning**

Subject Property: R-3 (Medium Density Residential)  
 North: R-3 (Medium Density Residential)  
 South: R-1 (Single Family Residential)  
 East: R-1 (Single Family Residential)  
 West: R-3 (Medium Density Residential)

**E) General Plan Compliance**

The subject property is designated as L (Low Density Residential) under the Southeast Sector Plan of the General Plan. The L (Low Density Residential) category permits a density range of single family detached homes, including compact lots and zero lot lines; mobile home parks and two-family dwellings. The conversion to an office use that the applicant is requesting does not agree with the existing Planned Land Use and; therefore, needs a General Plan Amendment (GPA-14331) to O (Office) and Rezoning (ZON-14340) to P-R (Professional Office and Parking) to be consistent.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>YES</b>	<b>NO</b>
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

**A) Zoning Code Compliance**

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

<b>Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Width	60 Feet	70	Y
Min. Setbacks			
• Front	20 Feet	35	Y
• Side	5 Feet	8	Y
• Corner	15 Feet	15	Y
• Rear	15 Feet	35	Y
Max. Lot Coverage	50 %	33%	Y
Max. Building Height	2 Stories / 35 Feet	2 stories	Y
Trash Enclosure	1	1	Y

The proposed development is in compliance with Title 19 Development standards.

## ANALYSIS

### *A) General Analysis and Discussion*

The applicant has requested a Rezoning (ZON-14340 ) from R-3 (Medium Density Residential) District to a P-R (Professional Office and Parking) District. There is no P-R in the vicinity and this Rezoning request is considered inappropriate based on its context. The proposed use as an office complex is not compatible with the surrounding area, which is primarily residential.

## 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.**

The current General Plan designation on the site is L (Low Density Residential). The majority of the surrounding area is L (Low Density Residential). The addition of an Office designation to this site would be out of character with the area and contrary to the intent of the General Plan.

### **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 applicant has requested a Rezoning (ZON-14340) from R-3 (Medium Density Residential) District to a P-R (Professional Office and Parking) District. There is no P-R (Professional Office and Parking) in the vicinity and this Rezoning request is considered inappropriate based on context. The proposed use as an office complex is not compatible with the surrounding area, which is primarily residential.

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

The proposed use as an office complex is not compatible with surrounding development. In addition to this Rezoning request the proposed development requires a General Plan Amendment and Waivers of landscaping standards. Due to the incompatibility with surrounding land uses and several deviations from standards denial of this request is recommended.

**4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

The site gains access from Lake Mead Boulevard, a 100-foot Primary Arterial. Secondary access is provided from the alley behind the property. Together these roads are able to adequately service a development of this size.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 6

**ASSEMBLY DISTRICT** 7

**SENATE DISTRICT** 4

**NOTICES MAILED** 594 by Planning Department

**APPROVALS** 15

**PROTESTS** 1