



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-14420 - APPLICANT: WALKER LANDSCAPE - OWNER:
CARL UNGER, ET AL

**** CONDITIONS ****

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

Planning and Development

1. Rezoning (ZON-10766) approved by City Council on 03/01/06 for the subject site shall be expunged.
2. A General Plan Amendment (GPA-14417) to an O (Office) land use designation approved by the City Council.
3. A Resolution of Intent with a two-year time limit is hereby granted.
4. A Site Development Plan Review (SDR-14423) 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

5. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 30 feet for Campbell Road, 30 feet for Dapple Gray Road including the portions needed to complete the cul-de-sac and a 25-foot radius on the northwest corner of Cheyenne Avenue and Campbell Road and the northeast corner of Cheyenne Avenue and Dapple Gray Road prior to the issuance of any permits. Also, grant a traffic signal chord easement on the northwest corner of Cheyenne Avenue and Campbell Road.
6. Construct all incomplete half-street improvements on Cheyenne Avenue, Campbell Road and Dapple Gray Road adjacent to this site 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. Extend all required underground utilities, such as electrical, telephone, etc., if applicable, located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).

7. A Drainage Plan and Technical Drainage Study 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 submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request for a Rezoning from U (Undeveloped) [ML (Medium-Low Density Residential) under Resolution of Intent to R-PD7 (Residential Planned Development 7 Units Per Acre) to O (Office) on 5.0 acres at 9040 and 9092 West Cheyenne Avenue.

EXECUTIVE SUMMARY

The application is a request for a Rezoning to O (Office) to allow the development of a 58,400 square foot medical and professional office complex on 5.0 acres. The O (Office) land use designation that is proposed in the companion General Plan Amendment (GPA-14417) allows the proposed rezoning to O (Office); the rezoning is also generally consistent with the existing pattern of land uses in the immediate area.

BACKGROUND INFORMATION

A) Related Actions

- 04/25/02 The Planning Commission tabled requests to amend a portion of the Centennial Hills Sector Plan (GPA-0008-02) from ML (Medium Low Density Residential) and O (Office) and to rezone (Z-0022-02) from U (Undeveloped) to O (Office) on 2.5 acres on the north side of Cheyenne Avenue, approximately 600 feet east of Fort Apache Road. Staff recommended denial of both requests.
- 08/21/02 The City Council approved a General Plan Amendment (GPA-0011-02) from ML (Medium Low Density Residential) to O (Office) and a Rezoning (Z-0063-02) from U (Undeveloped) to O (Office) on the subject site. The previous actions on the site (GPA-0008-02 and Z-0022-02) were expunged. The Planning Commission and staff recommended approval.
- 05/21/03 The City Council approved a General Plan Amendment (GPA-1016) from O (Office) to SC (Service Commercial) and a Rezoning (ZON-1017) from U (Undeveloped) to C-1 (Limited Commercial) on a portion of the subject site. The City Council amended the Rezoning application (ZON-1017) to N-S (Neighborhood Service.) The Planning Commission recommended approval.

- 11/05/03 The City Council approved a Site Development Plan Review (SDR-2871) for a proposed 77,000 square-foot Mini-Warehouse Facility with Recreational Vehicle and Boat Storage on a related site directly to the west of the subject parcel. The Planning Commission and Staff recommended approval.
- 06/30/04 The Planning and Development Department approved an administrative site plan and elevation drawing for a proposed Wireless Communication, Stealth Design on a related site directly to the west of the subject parcel.
- 07/22/04 The Department of Building and Safety issued a building permit (#713535) for a monopole and antennas at 9176 West Cheyenne Avenue on a related site directly to the west of the subject parcel.
- 08/04/04 The City Council approved an Extension of Time (EOT-4691) on an approved Rezoning (Z-0063-02) from U (Undeveloped) to O (Office) on a portion of the subject site.
- 09/15/04 The City Council approved a Rezoning (ZON-4699) from U (Undeveloped) to O (Office) and a Vacation (VAC-4700) of U.S. Government patent Easements on a portion of the subject site. The Planning Commission and Staff recommended approval.
- 12/02/04 The Planning Commission approved a Tentative Map (TMP-5356) for a one-lot commercial subdivision on a portion of the subject site. Staff recommended approval.
- 03/01/06 The City Council approved a General Plan Amendment (GPA-10763) from SC (Service Commercial) and O (Office) to ML (Medium Low Density Residential), a Rezoning (ZON-10766) from U (Undeveloped) [O (Office) Master Plan Designation] under Resolution of Intent to O (Office) Zone and U (Undeveloped) [SC (Service Commercial) Master Plan Designation] under Resolution of Intent to N-S (Neighborhood Service) Zone to R-PD7 (Residential Planned Development - 7 Units Per Acre) and a Site Development Plan Review (SDR-10769) for a 56-lot single-family residential development. The Planning Commission and Staff recommended denial.
- 03/23/06 The City Council approved a Tentative Map (TMP-11664) for a 55-lot single family subdivision on the subject site and an adjacent site directly to the west of the parcel.
- 07/27/06 The Planning Commission recommended approval of companion items GPA-14417 and SDR-14423 concurrently with this application.
- 07/27/06 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #62/rl).

B) *Pre-Application Meeting*

05/22/06 At the pre-application meeting, the applicant discussed the plan which is a revised version of a previously submitted and approved office project of about 48,000 square feet. The applicant was informed that a General Plan Amendment from ML (Medium-Low Density Residential) to O (Office) and a Rezoning from R-PD7 (Residential Planned Development 7 Units Per Acre) to O (Office) as well as a Site Development Plan Review are requires. In addition, Public Works staff addressed issues with access and width on the west side of the site with regard to access, drainage and manholes. Further the applicant must provide a drainage study, traffic signal impact fee and details prior to closing.

C) *Neighborhood Meetings*

Per policy set forth in the City of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant was asked to hold a meeting within 14 days of the closing date of this application. In accordance with the above, on 07/06/06 a neighborhood meeting sponsored by the applicant was held and nine persons attended, including five representatives of the applicant and four members of the public. Questions and concerns raised by residents included the availability of water, vacancies in existing office buildings in the area, traffic and sewer capacity, signage height and gating the development to keep vagrants out at night.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 5.0

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single-Family Dwellings
South: Single-Family Dwellings
East: Commercial Buildings
West: Undeveloped

C) *Planned Land Use*

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

D) Existing Zoning

Subject Property: U (Undeveloped) under Resolution of Intent to R-PD7 (Residential Planned Development 7 Units Per Acre)

North: R-CL (Residential Compact Lot)

South: PC (Planned Community)

East: P-R (Professional Office and Parking)

West: U (Undeveloped) under Resolution of Intent to R-PD7 (Residential Planned Development 7 Units Per Acre)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the Master Plan with a ML (Medium Low Density Residential) land use designation. A related General Plan Amendment (GPA14417) has been submitted and proposes to amend the existing Master Plan designation to the O (Office) category. The proposed O (Office) zoning district is consistent with the proposed Master Plan designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails	X	
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

A Pedestrian Path alignment exists along the north side of Cheyenne Avenue, adjacent to the proposed development. A Pedestrian Path is a dedicated route for pedestrians and other trail users proposed for rights-of-way in developed areas where enough right-of-way to accommodate a multi-use trail cross section requirement is not available. The cross section requires less width due to a reduction in amenities but provides an unobstructed path for trail users. The site path is in conformance with the Pedestrian Path cross-section.

F) Density (RESIDENTIAL REZONING APPLICATIONS ONLY)

<i>EXISTING ZONING</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED ZONING</i>	<i>PERMITTED DENSITY</i>	<i>GENERAL PLAN</i>	<i>PERMITTED DENSITY</i>
R-PD7	7 du/ac	O	NA	O	NA

The proposed zoning district is commercial allowing no residential density.

INTERAGENCY ISSUES

No interagency issues exist.

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Size	NA	127,800 S.F.	Y
Min. Lot Width	100 Feet	300 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	15 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	51 Feet	70 Feet	Y
Max. Lot Coverage	60 %	46%	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/ 35 Feet	Y

This project meets or exceeds the Development Standards required by Title 19.08.

B) General Analysis and Discussion

The purpose of the O (Office) zoning district is consistent with the accompanying Site Development Plan Review (SDR-14423) for a five-building medical and professional office complex. This zoning category is allowed in the O (Office) land use designation. The applicant has submitted a General Plan Amendment to change the General Plan designation from ML (Medium Low Density Residential) to O (Office). This Rezoning is appropriate for the area, and is similar to the office development immediately to the east of the site, provided that there is proper buffering along the north side of the development, separating it from existing single-family 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 proposed zoning conforms to the O (Office) General Plan designation proposed by the companion General Plan Amendment (GPA-14417).

- 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 uses allowed by the proposed rezoning are compatible with surrounding land uses.

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

The area is largely developed, as was intended with residential uses. The encroachment of commercial uses into this area was a result of annexations from the county and subsequent general plan amendments adopted by the City Council. This site had previously been rezoned to O (Office) in 2002 until March 2006 when City Council approved GPA-10763 and ZON-10769 changing the land use designation to ML (Medium Low Density Residential) and the zoning to R-PD7 (Residential Planned Development 7 Units Per Acre).

- 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.**

Cheyenne Avenue, a Primary (100-foot) Arterial, is fully constructed but requires additional dedication to provide access to the proposed development. Improvement to Dapple Gray Road and Campbell Road, both 60-foot public streets, will be adequate to meet the requirements of the proposed subdivision.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 426 by Planning Department

APPROVALS 0

PROTESTS 0