

## AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 15, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-15233 - APPLICANT/OWNER: CHARLES H. SHIELDS AND GAIL W. SHIELDS

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### **\*\* CONDITIONS \*\***

The Planning Commission (6-1/ds vote) and staff recommend DENIAL.

#### **Planning and Development**

1. A General Plan Amendment (GPA-15231) 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-15235) application, if 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. Dedicate an additional five feet of right-of-way for a total half-street width of 45 feet on Tenaya Way and a 54-foot radius on the northeast corner of Tenaya Way and Azure Drive adjacent to this site prior to the issuance of any permits. Also dedicate appropriate right-of-way adjacent to this site for a bus turnout on Tenaya Way in accordance with Standard Drawing #234.3 and grant a passenger shelter and loading pad easement in accordance with Standard Drawing #234.2 if requested by the Regional Transportation Commission (RTC) prior to the issuance of any permits, unless otherwise allowed by the City Traffic Engineer.
5. Construct all incomplete half-street improvements on Tenaya Way, including a bus turnout, to meet current City Town Center Standards adjacent to this site concurrent with development. In addition, construct half-street improvements, including appropriate transitional paving, on Azure Drive adjacent to this site concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Coordinate with the Collection Systems Planning Section of Public Works to determine an appropriate public sewer connection to service this site prior to the issuance of any permits for this site.

7. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

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

**PROJECT DESCRIPTION**

This is a request for a Rezoning from R-E (Residence Estates) to P-R (Professional Office and Parking) on 0.96 acres at 7180 West Azure Drive. The applicant is proposing to convert the existing residence to a medical office building. The site is located east of Tenaya Way and north of Azure Drive just south of the I-215 Beltway. In addition to the Rezoning, the applicant is requesting an amendment to the General Plan (GPA-15231) and a Site Development Review (SDR-15235).

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
10/06/04	The City Council approved a request to Amend (GPA-4631) a portion of the Centennial Hills Sector Plan of the Master Plan from R (Rural Density Residential) to O (Office), a Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking), and a Site Development Plan Review (SDR-4638) for a professional office and parking on a portion of 0.96 at 7180 West Azure Drive (APN 125-27-503-008). Planning Commission and staff recommended DENIAL.
10/18/06	Request for an Extension of Time of an approved Site Development Plan Review (SDR-4638) that allowed a office and parking lot on 0.96 acres at 7180 West Azure Drive (APN 125-27-503-008), R-E (Residence Estates) Zone.
10/18/06	Request for an Extension of Time of an approved Rezoning (ZON-4635) from R-E (Residence Estates) to P-R (Professional Office and Parking) on 0.96 acres at 7180 West Azure Drive
10/19/06	The Planning Commission recommended denial of companion items GPA-15231 and SDR-15235 concurrently with this application.  The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #24/jm).
<b><i>Pre-Application Meeting</i></b>	
06/29/06	A pre-application meeting was held. The applicant was informed of the previous conditions on the site that restricted the General Plan Amendment, Rezoning and Site Development Review to the south portion of the site. The applicant is requesting to expand the site with parking and landscaping for a future office expansion. Submittal requirements were noted.
<b><i>Neighborhood Meeting</i></b>	
09/25/06	A neighborhood meeting was held at 6:00 PM at Cimarron Rose Community Center, 5591 North Cimarron Road. Three citizens attended the meeting. A resident was concerned that the parking lot abutting their property would intrude into his privacy, while two other residents were in favor of the development and didn't have any concerns.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.96 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Single Family Residence	R (Rural Density Residential)	R-E (Residence Estates)
North	Single Family Residence	R (Rural Density Residential)	R-E (Residence Estates)
South	Undeveloped	O (Office)	R-E (Residence Estates) Resolution of Intent to P-R (Professional Office and Parking)
West	Undeveloped	SX-TC (Suburban Mixed Use Town Center)	T-C (Town Center)
East	Single Family Residence	R (Rural Density Residential)	R-E (Residence Estates)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	Y
<b>Special Purpose and Overlay Districts</b>		X	Y
<b>Trails</b>		X	Y
<b>Rural Preservation Overlay District</b>	X		Y
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>		X	Y

**DEVELOPMENT STANDARDS**

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	60 Feet	150 Feet	Y
Min. Setbacks			
• Front	20 Feet	70 Feet	Y
• Side	5 Feet	8 Feet 6 Inches	Y
• Corner	15 Feet	30 Feet	Y
• Rear	15 Feet	104 Feet	Y
Max. Lot Coverage	50%	4.3%	Y
Max. Building Height	2 Stories/ 35 Feet	2 Stories	Y
Trash Enclosure	Yes, screened	Yes	Y
Mech. Equipment	Screened	Yes	Y

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	N/A	N/A	N/A
Adjacent development matching setback	N/A	N/A	N/A
Trash Enclosure	50 Feet from protected property	102 Feet	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	7 Trees	14 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	23 Trees	36 Trees	Y
<b>TOTAL</b>		30	50	Y
Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet	Y
Min. Zone Width (side and rear property lines)	8 Feet		8 Feet	
Wall Height	6 Feet		Existing wall	Y

*Pursuant to Title 19.10, the following parking standards apply:*

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	1,183 SF	1/300 GFA	3	1	4	1	Y
Office, Medical and Dental	1,677 SF	1/200 GA up to 2,000 SF, plus 1/175 thereafter	9	-	32	1	Y
<b>SubTotal</b>	2,860 SF		12	1	36	2	
<b>TOTAL</b>			13		38		Y

## ANALYSIS

The zone change to P-R (Professional Office and Parking) Zone would be consistent with the proposed General Plan Amendment to O (Office). The P-R (Professional Office and Parking) allows for office uses in an area that is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low-density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. A low volume of direct daily client and customer contact characterizes these uses. To decrease the impact to adjacent residential uses, single-family structures should be retained or new development in the P-R (Professional Offices and Parking) district should be constructed to maintain a residential character. The P-R (Professional Offices and Parking) District is consistent with the Office category of the General Plan.

The proposed P-R (Professional Office and Parking) zoning designation is not compatible with the adjacent residential uses, which are zoned R-E (Residence Estates) to the north and east and the U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to the south. In addition, the proposed general and medical office does not meet the intent of the P-R Zone to be a transitional zone to allow low intensity administrative and professional offices, which are characterized by a low volume of direct daily client and customer contact. A medical office has a higher traffic volume and higher rate of customer contact on a daily basis than a low-intensity office use.

## 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 site is currently designated R (Rural Density Residential) on the Centennial Hills Interlocal Land Use Plan of the General Plan. A related General Plan Amendment application (GPA-15231) proposes to amend the land-use designation to O (Office). The zone change to P-R (Professional Offices and Parking) will be consistent with the proposed General Plan Amendment to O (Office).

The proposed zoning is incompatible and does not conform to the General Plan because of the Plans focus on the protection of existing neighborhoods.

**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 proposed zoning of P-R (Professional Office and Parking) would permit the proposed general/medical office conversion. However, because of the potential intensity of the O (Office) land use designation and proposed medical office, the use is not compatible with the surrounding zoning classifications, including R-E (Residence Estates) to the north and east, and U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to the south. The P-R (Professional Office and Parking) zoning district constitutes spot zoning and would encroach into a Rural Preservation Neighborhood.

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

The proposed general and medical office conversion is not appropriate on the subject property in relation to the adjacent rural residential uses in an area designated as a Rural Preservation Neighborhood. The proposed P-R (Professional Office and Parking) zoning classification and the proposed medical office will not be compatible with the surrounding land uses. The past trend of development has not shown that the neighborhood is in transition so there arent any indicators that support the proposal.

**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 is accessed via three drives, two from Tenaya Way, an 80-foot Secondary Collector, and one from Azure Drive, a 50-foot right-of-way. The rights-of-way provide adequate access to the site.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 9

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 71 by Planning Department

**APPROVALS** 0

**PROTESTS** 1