



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-21487 - APPLICANT/OWNER: LELAND E. LUTFY

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.16 acres located at 615 South 7th Street. The project site currently consists of an existing office building. A previous approval (V-0014-86) included a variance to allow the office use in an R-1 (Single Family Residential) zone.

The proposed rezoning to the P-R (Professional Office and Parking) zoning district is consistent with the MXU (Mixed Use) General Plan designation. It is also consistent with the existing office uses in the vicinity. Approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/27/86	The Board of Zoning Adjustment approved a Variance (V-0014-86) request to allow a professional office in an R-1 (Single Family Residential) zoning district.
06/14/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #41/rts).
<i>Related Building Permits/Business Licenses</i>	
07/27/90	A business license, Q22-00076, for an Accounting Firm or Accounting Office category license was issued by the Department of Finance and Business Services. This license was marked out of business on 02/26/07. *
06/23/92	A business license, Q13-00749, for a Law Firm or Law Office category license was issued by the Department of Finance and Business Services. This license is under review for a change of location to the subject site as of 02/23/07. Planning and Development has denied this license pending approval of this rezoning request and the license has not been re-issued as of 05/17/07.
03/15/93	A business license, C11-04706, for a Contractor category license was issued by the Department of Finance and Business Services. *
<i>Pre-Application Meeting</i>	
04/13/07	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

* This license was issued with no apparent Planning and Development review.

Field Check	
05/11/07	The Department of Planning and Development conducted a site visit that found that this was a developed site that includes the office building with a single car garage at the rear. It was noted there is mature trees and rock mulch landscaping at the front of the site with one monument sign advertising the business name. Finally, it was noted that there is decorative, security wrought iron on the windows and doors.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, Other Than Listed	MXU (Mixed Use)	R-1 (Single Family Residential)
North	Office, Other Than Listed	MXU (Mixed Use)	P-R (Professional Office and Parking)
South	Office, Other Than Listed	MXU (Mixed Use)	P-R (Professional Office and Parking)
East	Single Family, Detached	MXU (Mixed Use)	R-1 (Single Family Residential) Under Resolution of Intent to P-R (Professional Office and Parking)
West	Office, Other Than Listed	MXU (Mixed Use)	R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Redevelopment Plan Area	Y		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Las Vegas High School Neighborhood District	Y		n/a *
Trails		N	n/a
Rural Preservation Overlay District		N	n/a
Development Impact Notification Assessment		N	n/a
Project of Regional Significance		N	n/a

* There are no standards applicable to this district.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	n/a	6855 SQ FT	Y
Min. Lot Width	60 Feet	50 Feet	Y *
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 5 Feet 15 Feet 15 Feet	> 20 Feet > 5 Feet n/a > 15 Feet	Y Y n/a Y
Min. Distance Between Buildings	6 Feet	29 Feet	Y
Max. Lot Coverage	50%	< 50%	Y
Max. Building Height	2 Stories / 35 Feet (whichever is less)	1 Story	Y

* This is an existing building and parcel that qualifies as a non-conforming lot per Title 19.16.

Existing Zoning	Permitted Density	Units Allowed
R-1 (Single Family Residential)	5.5 DU/AC	< 1 Dwelling Unit
Proposed Zoning	Permitted Density	Units Allowed
P-R (Professional Office and Parking)	n/a	n/a
General Plan	Permitted Density	Units Allowed
MXU (Mixed Use)	Varies depending on zoning request (n/a in this case)	Varies depending on zoning request (n/a in this case)

Pursuant to Title 19.04 and Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	1,400 SF	1 Space / 300 SF GFA	4 Spaces	1 Space	4 *	1 Space	Y
TOTAL (including handicap)			5 Spaces		5 Spaces		Y

* One parking space is counted for the single car garage.

Monument Signs: [existing]		
Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total	1 / Street frontage 1 total
Maximum Area	75 SF /sign	12.75 SF /sign
Maximum Height	8 Feet	5.25 Feet
Minimum Setback	5 Feet	> 5 Feet
Illumination	Direct/Internal	No Illumination

ANALYSIS

The subject property is located within the boundaries of the Las Vegas Redevelopment Area Map of the Southeast Sector Map of the General Plan, and has a MXU (Mixed Use) land use designation. This category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The proposed rezoning to the P-R (Professional Office and Parking) zoning district will allow a variety of uses not currently allowed under the R-1 (Single Family Residential) zoning district. The existing building is currently used for an office, other than listed use which is in compliance with the General Plan.

Previously, a Variance (V-0014-86) was considered and approved to allow a professional office use in an R-1 (Single Family Residential) zoning district at this location. Development in this area has continued away from residential and towards commercial office uses and the General Plan is supportive of this type of use.

The proposed rezoning to the P-R (Professional Office and Parking) zoning district is consistent with the existing MXU (Mixed Use) General Plan designation. It would also make it consistent with surrounding land uses, which consist of office buildings to the north, south and west of the property. For these reasons staff is recommending approval of this item.

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 rezoning is consistent with the MXU (Mixed Use) designation as listed under the Southeast Sector Plan of the General Plan. The MXU (Mixed Use) category allows for residential as well as the commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The sites existing building can accommodate a range of uses and is in compliance with 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.

Currently, there are office buildings to the north, south and west with a single family home to the east of the property. None of these properties should be affected by the possibility of rezoning. The proposed rezoning would be compatible with the commercial uses that surround the property.

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

Growth and development factors indicate a need for low intensity commercial activities to locate in this area. Given the existing General Plan designation of MXU (Mixed Use) on the subject site, the rezoning to the P-R (Professional Office and Parking) zoning district is appropriate for the area.

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 will receive access from South 7th Street and a public alleyway at the rear of the property, which are adequate in size to meet the requirements of the proposed P-R (Professional Office and Parking) zoning district.

CITY COUNCIL ACTION

Delete Condition #1.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 199 by Planning Department

APPROVALS 3

PROTESTS 0