



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-22590 - APPLICANT/OWNER: BURNEY SMITH, LLC**

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

The Planning Commission (5-0 vote) and staff recommend APPROVAL.

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

**PROJECT DESCRIPTION**

This application is a request for a Rezoning of property from the R-E (Residence Estates) Zoning District to the C-1 (Limited Commercial) Zoning District. The 0.22 acre parcel is located at the northwest corner of "N" Street and Adams Avenue. The requested Rezoning is in compliance with the Revitalization goals and objectives of the General Plan and Redevelopment Plan. Staff recommendation is for approval.

The applicant intends to seek administrative approval for a parking lot to be constructed upon the granting of the Rezoning and the completion of the remapping of the two parcels (APNs 139-28-604-006 & -007).

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
4/27/06	Code Enforcement Case #40650: Illegal dumping of trash on vacant lot & overgrown with weeds. Resolved 5/21/06.
07/26/07	The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #6/mh).
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no associated permits or licenses with this property (APN 139-28-604-007)	
<b><i>Pre-Application Meeting</i></b>	
	A Pre-application conference was held regarding the Rezoning and Development of a parking lot.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required nor, was one held.	

<b><i>Field Check</i></b>	
5/31/07	The Department of Planning and Development conducted a field check and made the following observations: 1. An existing retail center located to the west of the undeveloped lot. 2. An approximate 4-foot change in grade between the undeveloped lot and the rear of the shopping center. 3. Shared access from 904 North Martin L King will be required as the parcel is landlocked (no access will be taken from Adams Street.)

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.23 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	R-E (Residence Estates)
North	Single Family Dwelling	C (Commercial)	R-E (Residence Estates)
South	Bank	C (Commercial)	C-1 (Limited Commercial)
East	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
West	Commercial Retail	C (Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District	X		Y
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>	X		Y
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

**DEVELOPMENT STANDARDS**

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

<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Parking Lot	NA		NA				
<b>TOTAL</b>							

*\*The proposed parking lot is an addition to an existing commercial retail location at 1000 North Martin L King Boulevard.*

## ANALYSIS

- **General Plan and Zoning**

The project is located within a General Plan designated Revitalization area and Redevelopment Plan area. The project site is designated with the Downtown Redevelopment Area (RDA) land use designation of C (Commercial). Existing land uses surrounding the project site include a commercial center to the west, single family residential to the east, a financial institution to the south, and undeveloped residential property to the west.

- **West Las Vegas Plan/Redevelopment Plan Area**

The requested Rezoning is in conformance with the West Las Vegas Plan and the Redevelopment Plan Area, of which a portion of the latter resides. The Land Use Goals, Objectives, And Policies listed in the *West Las Vegas Plan* provide a section regarding the Las Vegas Redevelopment Plan. This proposal complies specifically with Objectives B, C, and F that seek to assemble land into parcels suitable for integrated development, to redesign areas that are stagnant or improperly utilized, and to provide adequate land for parking. This proposal also supports many of the other Objectives in that it will support the strengthening of the commercial functions of the Redevelopment Area.

## 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 to C-1 (Limited Commercial) conforms to the Downtown Redevelopment Area (RDA) land use designation C (Commercial). The RDA is a special area plan of the General Plan, and as such, the requested Rezoning is in conformance 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.**

The proposed parking lot use is compatible with the commercial retail center to the west and the approved bank development to the south of the site.

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

The subject site is an infill parcel that seeks to add a landscaped parking lot to an existing retail shopping center. The evolving commercial development around the parcel makes this requested rezoning to the C-1 (Limited Commercial) zoning district appropriate and justified.

**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.**

Access to the rear-located parking lot may only be accomplished via a cross-access agreement established with the southern property located at 904 North Martin Luther King Boulevard (APN 139-28-604-008) that will allow traffic to and from Martin L. King Boulevard.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 21

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 142 by Planning Department

**APPROVALS** 0

**PROTESTS** 0