



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 20, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ZON-25278 - APPLICANT/OWNER: INVESTMENT SOLUTIONS, INC.**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 6, 2008 CITY COUNCIL MEETING.***

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

The Planning Commission (4-1/sd vote) and staff recommend APPROVAL.

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

**PROJECT DESCRIPTION**

This application is a request for a Rezoning of 1.04 acres from the U (Undeveloped) Zoning District to the O (Office) Zoning District. This property currently maintains the O (Office) General Plan Land Use Designation and is generally located at the southeast corner of Red Coach Avenue and Balsam Street. A related request for a Variance (VAR-25277) and a Site Development Plan Review (SDR-25276) has been filed with this request with intent to develop a two-story 23,354 square foot Office building.

Staff recommends approval of this Rezoning request as the intended office use complies with both the O (Office) General Plan Land Use Designation and the affiliated O (Office) Zoning District.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
12/20/07	<p>The Planning Commission recommended denial of companion items VAR-25277 and SDR-25276 concurrently with this application.</p> <p>The Planning Commission voted 4-1/sd to recommend APPROVAL (PC Agenda Item #18/mh).</p>
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no Building Permits or Business Licenses recorded against this property.	
<b><i>Pre-Application Meeting</i></b>	
10/01/07	A pre-application meeting was held with staff regarding the Rezoning and Site Development Review for a 1.04 acre parcel to develop an office building. Staff recommended completing a Variance request for a parking deficiency, as the applicant was unable to secure a shared parking agreement with the neighboring church.
<b><i>Neighborhood Meeting</i></b>	
11/15/07	<p>The applicant held a neighborhood meeting at the Cimarron Rose Community Center located at 5591 N. Cimarron Road, Las Vegas, Nevada on Thursday, November 15, 2007 at 6:00 pm. The meeting was attended by 11 people and the following questions and comments were made:</p> <ul style="list-style-type: none"> <li>• Widen Red Coach Avenue.</li> <li>• Two-story office but only one company in the building.</li> <li>• Will they close Balsam Street at Lone Mountain Road?</li> <li>• Construction anticipated in six to nine months.</li> <li>• Why require landscaping with drought?</li> <li>• No traffic on Balsam Street.</li> </ul>

<b>Field Check</b>	
11/15/07	A field check was performed by staff with the following observations: <ul style="list-style-type: none"> <li>• Undeveloped one-acre lot located adjacent the rear of a church.</li> <li>• Unincorporated rural one-acre lots across the Red Coach Avenue and Balsam Street on the north and west.</li> <li>• Existing six-foot screen wall along side property line adjacent to church.</li> <li>• Generally flat lot with no discernible change in grade.</li> </ul>

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	1.04

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped)
North	Single Family Residence	O (Office)	Unincorporated Clark County
South	Undeveloped	O (Office)	U (Undeveloped)
East	Church	O (Office)	U (Undeveloped)
West	Single Family Residence	O (Office) Unincorporated Clark County	Unincorporated Clark County

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	
<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	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

- **A-O (Airport Overlay) District**

The proposed two-story office building has a finished height of 35 feet. Staff finds that this proposal will not adversely affect the 175-foot height restriction placed by the Airport Overlay District.

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.08.050, the following standards apply to the O (Office) Zoning District:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Width	100 feet	150 feet	Y
Min. Setbacks			
• Front	20 feet	60 feet	Y
• Side	5 feet	25 feet	Y
• Corner	15 feet	61 feet	Y
• Rear	15 feet	33 feet	Y
Max. Lot Coverage	50%	26%	Y
Max. Building Height	Lesser of 35 feet or two stories	35 feet	Y
Trash Enclosure	Screened and enclosed	Not shown	N
Mech. Equipment	Screened from public ROW	Not shown	N

**ANALYSIS**

- **Land Use and Zoning**

This subject site is located on 1.04 acres that currently maintains the O (Office) General Plan Land Use Designation. Staff has recommended approval of this Rezoning (ZON-25278) request as the intended Office, Other than Listed use complies with both the O (Office) General Plan Land Use Designation and the affiliated O (Office) Zoning District. The proposed Office use is compatible with the surrounding O (Office) land use designations on all adjacent properties. This area, however, is an area still in transition as the adjacent properties located within Clark County jurisdiction are still single family residences despite the O (Office) General Plan Land Use Designation.

Although staff supports the recommendation for this rezoning request as it is compatible in use with the adjacent properties, the scope and the design do not allow for a project that recognizes this area is still transitioning from the rural single family dwellings to small office buildings.

- **Accompanying Development Requests**

This rezoning request is accompanied by a Site Development Plan Review (SDR-25276) and Variance (VAR-25278) request to develop a two-story, 23,941 square-foot office building with only 53 off-street parking spaces provided where 80 parking spaces are required. Although staff recommends approval of this Rezoning request, the scope of related requests has been determined too intense for the subject site; therefore, staff recommends denial of the Site Development Plan Review (SDR-25276) and Variance (VAR-25278).

## 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 Office use conforms with the O (Office) General Plan Land Use Designation maintained on this site. However, while staff is recommending approval of this Rezoning (ZON-25278) request, staff has recommended denial of the accompanying Site Development Plan Review (SDR-25276) and Variance (VAR-25277), due to a demonstration of overdevelopment.

**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 Office use has been determined to be compatible with the O (Office) General Plan Land Use Designation. But considering that the adjacent unincorporated Clark County properties are still utilized as single family residences and that the proposal requires a Variance and Waiver in order to complete development, staff finds the intensity of this proposal as incompatible with the surrounding land uses.

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

Staff supports the request to rezone the subject 1.04 acre subject parcel from the U (Undeveloped) Zoning District to the O (Office) Zoning District, as the General Plan Land Use Designation supports the future Office land use. Staff does not recommend approval of the accompanying Site Development Review (SDR-25276) or the Variance (VAR-25277), as the proposed design exceeds the intended commercial intensity of 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 1.04 acre subject site is accessed by Red Coach Avenue and Balsam Street, both categorized as 60-foot wide Local Streets by the Master Plan of Streets and Highways. Although adequate access to the property is provided to the proposed office building the overdevelopment of the site may place a larger burden on the existing streets that currently function primarily as residential streets.

**PLANNING COMMISSION ACTION**

There was one speaker in opposition.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 6

**ASSEMBLY DISTRICT** 37

**SENATE DISTRICT** 3

**NOTICES MAILED** 106 by Planning Department

**APPROVALS** 2

**PROTESTS** 1