

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: APRIL 24, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-27311 - APPLICANT/OWNER: EMERALD LAKE INC., ET AL**

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

**STAFF RECOMMENDATION: APPROVAL.**

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

**PROJECT DESCRIPTION**

This is a request for a Rezoning from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on 2.1 acres on the south side of Lake Mead Boulevard, approximately 175 feet east of Martin L King Boulevard.

Companion applications to this application are a Site Development Plan Review (SDR-27314) for a proposed 17,620 square-foot Retail Development with Waivers of the perimeter landscape requirements has been requested and a General Plan Amendment (GPA-27309) from MLA (Medium Low Attached Residential) to SC (Service Commercial).

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
03/27/05	A Code Enforcement case (#27810) was opened for high weed violation. The case was resolved on 04/17/05
07/31/05	A Code Enforcement case (#33126) was opened for vehicle abandoned on the street. The case was resolved on 08/07/05
10/14/05	A Code Enforcement case (#35354) was opened for vacant/dangerous building at 1341 Hart Avenue. The case was resolved with the building being removed on 04/04/06.
09/16/07	A Code Enforcement case (#57873) was opened for refuse/waste on site. The case was resolved on 10/06/07.
<b><i>Related Building Permits/Business Licenses</i></b>	
No related building permits or business licenses exist on the site.	
<b><i>Pre-Application Meeting</i></b>	
02/22/08	A pre-application meeting was held with staff to discuss the process of submitting a request to construct a medical office complex on two undeveloped parcels. Staff then discussed the submittal requirements for a General Plan, Rezoning and Site Development Plan.
<b><i>Neighborhood Meeting</i></b>	
03/24/08	<p>A neighborhood meeting was held on Monday, March 24, 2008 at 5:30 p.m. at the West Las Vegas Library located at 951 W. Lake Mead Boulevard. Six applicants, one city staff and 12 members of the public were in attendance. Concerns expressed at the meeting were the following:</p> <ul style="list-style-type: none"> <li>• Where will the developer seek employees?</li> <li>• Will there be alcohol uses at this site?</li> <li>• Will there be pay day loans at this site?</li> <li>• Traffic on Lake Mead.</li> </ul>

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<i>Field Check</i>	
03/24/08	A field check was conducted on site. The site is currently vacant with chain link fences erected around the parcels. The site is next to a Restaurant with Drive-through to the west, a Church to the east and residences across Hart Avenue to the north.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.01

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MLA (Medium Low Attached Density Residential) and C (Commercial)	R-2 (Medium-Low Density Residential)
North	Churches and Single Family Residential	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
South	Retail, Private School	C (Commercial)	C-1 (Limited Commercial) and C-V (Civic)
East	Churches and Single Family Residential	MLA (Medium Low Attached Density Residential) and C (Commercial)	R-2 (Medium-Low Density Residential)
West	Restaurant with Drive-Through	SC (Service Commercial) and 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>			
West Las Vegas Plan	X		Y
Redevelopment Plan Area	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
Airport Overlay (105 Feet)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

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## **ANALYSIS**

This is a Rezoning proposal to change the sites zoning from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial). The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

The subject properties are located within the Southeast Sector of the General Plan. A proposed General Plan Amendment (GPA-27309), if approved, would allow a SC (Service Commercial) land use designation. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate.

With approval of the proposed General Plan Amendment (GPA-27309) to the SC (Service Commercial) land use designation and this Rezoning (ZON-27311) request to the C-1 (Limited Commercial) zoning district, the proposed General Retail and Medical Office uses associated with this development are permissible uses. In addition, a Site Development Plan Review (SDR-27314) for a proposed 17,620 square-foot Retail Development with Waivers of the perimeter landscape requirements has been requested.

## **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 requested Rezoning to the C-1 (Limited Commercial) zoning district is consistent with the SC (Service Commercial) General Plan designation to the west of the site and the companion General Plan Amendment (GPA-27309) application request to SC (Service Commercial).

**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.**

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The proposed Retail and Medical Office uses are permitted under the proposed C-1 (Limited Commercial) zoning district and are compatible with the existing commercial uses in the surrounding area.

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

This proposal will be consistent with the surrounding uses and is appropriate given the proximity of the site to Lake Mead Boulevard and Martin L King Boulevard, which are both 100-foot rights-of-way. The C-1 (Limited Commercial) zoning district is the appropriate category for the requested SC (Service Commercial) land use category (GPA-27309) affiliated with this 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.**

Site access is adequately provided by Lake Mead Boulevard, classified as a 100-foot wide Primary Arterial by the Master Plan Streets and Highways, through a centrally located driveway at the front of the property.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12**

**ASSEMBLY DISTRICT 6**

**SENATE DISTRICT 4**

**NOTICES MAILED 288**

**APPROVALS 1**

**PROTESTS 0**