

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 12, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - GPA-27309 - APPLICANT/OWNER: EMERALD LAKE INC., ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL:

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Amend a portion of the Southeast Sector Plan of the General Plan from MLA (Medium Low Attached Density Residential) to SC (Service Commercial) on 1.01 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) request for a proposed 17,550 square-foot retail and office development with Waivers of the perimeter landscape requirements and a Rezoning (ZON-27311) request from R-2 (Medium-Low Density Residential) zoning district to C-1 (Limited Commercial) zoning district.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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.
04/24/08	The Planning Commission approved a request to ABEY a General Plan Amendment (GPA-27309) application to amend a portion of the Southeast Sector Plan of the General Plan from MLA (Medium Density Residential) to SC (Service Commercial); a Rezoning (ZON-27311) application to reclassify property from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial); and a Site Development Plan review (SDR-27314) application for a proposed 17,620 SF retail development, including a 2,000 SF medical office building with waiver to allow a 3.5-foot perimeter landscape buffer along a portion of the north property line where a 15-foot landscape buffer is required on 2.1 acres on the south side of Lake Mead Boulevard, approximately 175 feet east of Martin L King Boulevard.
<i>Related Building Permits/Business Licenses</i>	
No related building permits or business licenses exist on the site.	

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<i>Pre-Application Meeting</i>	
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.

<i>Neighborhood Meeting</i>	
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 West 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"> • Where will the developer seek employees? • Will there be alcohol uses at this site? • Will there be pay day loans at this site? • Traffic on Lake Mead.

<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)

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West	Restaurant with Drive-Through	SC (Service Commercial) and C (Commercial)	C-1 (Limited Commercial)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
West Las Vegas Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Airport Overlay (105 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The subject properties are located within the Southeast Sector of the General Plan. This proposed General Plan Amendment, 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.

There is a Rezoning (ZON-27311) 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.

With approval of this proposed General Plan Amendment to the SC (Service Commercial) land use designation and Rezoning (ZON-27311) 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 17,550 square-foot retail and office development with Waivers of the perimeter landscape requirements has been requested.

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West Las Vegas Plan

- **Land Use Policy**

Identify vacant and underutilized lands and pursue compatible residential and commercial infill development opportunities, including potential locations for neighborhood serving commercial development that is within walking distance of residences.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to 1:

The proposed SC (Service Commercial) land use designation is compatible with the existing SC (Service Commercial) land use designations to the west of the subject site.

In regard to 2:

With the approval of the associated request for a Rezoning (ZON-27311) to the C-1 (Limited Commercial) zoning district, 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 right-of-ways.

In regard to 3:

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.

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In regard to 4:

The proposal is accordance with policies of the West Las Vegas Plan, which calls for the identification of vacant and underutilized lands and pursuit of compatible residential and commercial infill development opportunities, including potential locations for neighborhood serving commercial development that are within walking distance of residences.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 288

APPROVALS 3

PROTESTS 0