

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 24, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-28510 - APPLICANT/OWNER: FIELD DEVELOPMENT, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

Submitted after final agenda	
Date	Item 31

NE

**** STAFF REPORT ******PROJECT DESCRIPTION**

This is a request to amend a portion of the Northwest Sector of the General Plan from O (Office) to SC (Service Commercial) on 1.04 acres at 3920 Leon Avenue.

The proposed SC (Service Commercial) Land Use designation on the parcel currently designated O (Office) is not compatible with the existing O (Office) properties to the north and the south of the subject property, as well as the DR (Desert Rural) designated properties to the east of the subject site. Because the increase in the intensity of use would create such an incompatibility with the surrounding land uses, staff recommends denial of this request, as well as the affiliated Rezoning (ZON-28511) from O (Office) to C-1 (Limited Commercial); Variance (VAR-28514) for a rear building setback of 10.83 feet where 20 feet is required; Special Use Permit (SUP-28513) for a Building Maintenance Service and Sales use; and a Site Development Plan Review (SDR-28512) for the existing two-story 8,120 square-foot office building and the addition of a 4,500 square-foot Building Maintenance Service and Sales building and outdoor storage area with waivers to allow for a zero-foot landscape buffer along portions of the north, south, and west perimeters where eight feet is required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/07/01	The City Council approved a request for Rezoning (Z-0108-00) from: R-E (Residence Estates) and C-2 (General Commercial) to: C-1 (Limited Commercial) on 1.04 acres located at 3900 Leon Avenue. The Planning Commission recommended approval.
04/04/01	The City Council approved a request for a Site Development Plan Review [Z-0108-00(1)] for a 24,000 square-foot office building on approximately 1.04 acres located on the west side of Leon Avenue, approximately 400 feet south of Alexander Road. The Planning Commission recommended approval.
04/02/03	The City Council approved a request to amend portions of the Centennial Hills Sector Plan and the Southwest Sector Map (GPA-1363) from: GC (General Commercial), SC (Service Commercial) and DR (Desert Rural Density Residential) to: GC (General Commercial), O (Office), PF (Public Facilities), ML (Medium-Low Density Residential) and DR (Desert Rural Density Residential) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The Planning Commission recommended approval.

GPA-28510 - Staff Report Page Two
July 24, 2008 - Planning Commission Meeting

09/04/03	An encroachment agreement (#2705) was finalized for a meandering sidewalk on the west side of Leon Avenue along the property line and two planter areas approximately 5 feet wide and 14 feet long each consisting of decomposed granite, boulders, trees, shrubs, and ground cover to satisfy a condition of Z-0108-00(1).
05/05/05	A code enforcement case (#29612) was opened for a complaint that the aesthetic appearance of a 2-story office building was visually offensive from Rancho Drive. The case was resolved on 05/16/05.
<i>Related Building Permits/Business Licenses</i>	
03/05/97	A business license (#C11-06288-B-074264) was issued for a contractor at 3920 Leon Avenue, Suite #220.
02/17/99	A business license (#C11-09503-B-083939) was issued for a contractor at 3920 Leon Avenue, Suite #120.
02/01/00	A business license (#C11-09009-B-089024) was issued for a contractor at 3920 Leon Avenue, Suite #240.
12/20/01	A building permit (#1022085) was issued for onsites at 3920 Leon Avenue. The permit was finalized on 06/17/02.
12/20/01	A building permit (#1022086) was issued for a shell building certificate of completion. The permit was finalized on 02/19/03.
01/30/02	A building permit (#2001544) was issued for a temporary construction trailer at 3920 Leon Avenue. The permit expired on 08/10/02.
03/06/02	A building permit (#2003991) was issued for onsite water and sewer at 3920 Leon Avenue. The permit expired 03/22/03.
09/17/02	A building permit (#2016789) was issued to extend water and sewer at 3920 Leon Avenue. The permit expired on 03/22/03.
09/19/02	A building permit (#2017060) was issued for a block wall at 3920 Leon Avenue. The permit expired on 04/26/03.
02/26/03	A building permit (#3003886) was issued for a non-work certificate of occupancy at 3920 Leon Avenue, Suite #110. The permit expired on 08/30/03.
02/26/03	A building permit (#3003887) was issued for a non-work certificate of occupancy at 3920 Leon Avenue, Suite #150. The permit expired on 08/30/03.
05/16/03	A business license (#C11-07485-E-110105) was issued for a contractor at 3920 Leon Avenue. The license was marked out of business on 07/04/06.
05/27/05	A business license (#C11-10005-E-123058) was issued for a contractor at 3920 Leon Avenue, Suite #5.
07/27/05	A business license (#C11-07892-G-123430) was issued for a contractor at 3920 Leon Avenue, Suite #110.
08/25/05	A business license (#C11-07914-H-122891) was issued for a contractor at 3920 Leon Avenue, Suite #240. The license was marked out of business on 08/22/07.

GPA-28510 - Staff Report Page Three
July 24, 2008 - Planning Commission Meeting

11/16/05	A business license (#D06-00904-K-125704) was issued for a designer – decorator at 3920 Leon Avenue, Suite #240. The license was marked out of business on 10/04/07.
06/02/06	A building permit (#66859) was issued for temporary power at 3920 Leon Avenue. The permit was finalized on 07/21/06.
05/07/07	A business license (#C11-09120-D-133938) was issued for a contractor at 3920 Leon Avenue, Suite #140.
05/15/07	A business license (#C11-09156-D-133685) was issued for a contractor at 3920 Leon Avenue, Suite #240.
06/22/07	A business license (#C11-09270-F-134407) was issued for a contractor at 3920 Leon Avenue, Suite #140.
Pre-Application Meeting	
05/28/08	A pre-application meeting was held with staff to discuss the submittal requirements for a General Plan Amendment (GPA), Rezoning (ZON), Variance (VAR), Special Use Permit (SUP), and a Site Development Plan Review (SDR).
Neighborhood Meeting	
07/07/08	<p>A neighborhood meeting was held on Monday, July 7, 2008 at 6:00 p.m. at 5715 West Alexander Road, Suite 135, Las Vegas, Nevada 89130. The applicant and approximately 15 members of the public were in attendance. Staff was not in attendance at this meeting. Comments and concerns were the following:</p> <ul style="list-style-type: none"> Members of the public were concerned that if this particular use ever vacated, a C-1 (Limited Commercial) zoning could allow other more intense uses on the site. The members of the public wanted to know if there could be a condition placed upon the zoning restricting future uses.
Field Check	
06/17/08	<p>The following observations were made by staff during a routine field check:</p> <ul style="list-style-type: none"> The gate to the existing trash enclosure was off the hinges and needed to be repaired. It also did not have a roof or trellis over it. Existing perimeter CMU block wall was not to City design standards (20% contrasting material), nor did it have a cap. A commercial shipping container was noted on-site. Existing landscaping around meandering sidewalk was scarce. Existing office building was well maintained. A temporary power pole was noted on-site. The existing parking lot was in need of wheel stops to prevent vehicular traffic from traveling off of the designated drive aisle. Illegal, outdoor storage was observed on site, which is not permitted in an O (Office) zoned district.
07/03/08	A follow-up field check was performed where it was noted that all illegal, outdoor storage had been removed, as well as the commercial shipping container from 3920 Leon. The property to the south, 3910 Leon Avenue still had illegal outdoor storage.

GPA-28510 - Staff Report Page Four
 July 24, 2008 - Planning Commission Meeting

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	O (Office)	O (Office)
North	Vacant Land	O (Office)	O (Office)
South	Office / Outdoor Storage	O (Office)	O (Office)
East	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Vacant Land	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (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

Airport Overlay District

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 105-foot contour limitations and does not violate the height limitations. The proposed structure does not exceed the height limitation and is in compliance with the Airport Overlay District.

ANALYSIS

- **From: Office (O) Master Plan Land Use Designation**

The Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

GPA-28510 - Staff Report Page Five
July 24, 2008 - Planning Commission Meeting

- **To: Service Commercial (SC) Master Plan Land Use Designation**

The applicant is proposing to amend the current O (Office) Master Plan Land Use Designation to the SC (Service Commercial) Master Plan Land Use Designation in efforts to allow low to medium intensity retail, office, or other commercial uses that primarily serve local area patrons. This particular proposal consists of a parcel totaling 1.04 acres.

This amendment was submitted in conjunction with a proposed Rezoning (ZON-28511) from O (Office) to C-1 (Limited Commercial) zoning district; a Variance (VAR-28514) to allow a 10.83-foot rear building setback, where 20 feet is required; a Special Use Permit (SUP-28513) for a Business Maintenance Service and Sales to allow a facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use, and outside storage must be screened from view from adjacent properties and streets; and a Site Development Plan Review (SDR-28512) for a proposed 4,500 square-foot Business Maintenance Service and Sales facility in addition to an existing two-story office building with waivers to allow for a zero-foot landscape buffer along portions of the north, south, and west perimeters where eight feet is required. The SC (Service Commercial) designation is not compatible with the surrounding O (Office) and DR (Desert Rural Density Residential) land use designations in the immediate area. Therefore, staff recommends denial for this General Plan Amendment request.

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.

GPA-28510 - Staff Report Page Six
July 24, 2008 - Planning Commission Meeting

In regard to "1":

The proposed SC (Service Commercial) Land Use designation for a parcel currently designated as O (Office) is not compatible with the existing O (Office) and DR (Desert Rural Density Residential) properties that surround the subject site. Because the increase in the intensity of use would create this incompatibility, staff recommends denial of this request as well all affiliated applications.

In regard to "2":

The proposed C-1 (Limited Commercial) zoning designation is the appropriate zoning district for the requested SC (Service Commercial) land use designation. However, as this zoning district is inherently linked to the issue of spot zoning, as defined in Title 19.20 as, "rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the general Plan," staff finds that a commercially zoned district would be inappropriate for this location.

In regard to "3":

Access to the site is provided by Leon Avenue, a 60-foot wide collector street. Secondary access to the subject site is provided by a 20-foot wide public alley off of Duncan Drive and Alexander Road. A centrally located driveway that runs east and west through the subject site provides both egress and ingress to Leon Avenue and the public alley which intersects with both Duncan Drive and Alexander Road.

In regard to "4":

This proposed amendment does not conform to the Las Vegas 2020 Master Plan or the Las Vegas Zoning Code since the proposed land use designation of SC (Service Commercial) with a C-1 (Limited Commercial) zoning district is incompatible with the existing O (Office) and DR (Desert Rural Density Residential) land uses that surround the subject property. Because this application, with the affiliated Rezoning (ZON-28511) constitute spot zoning, staff must recommend denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

GPA-28510 - Staff Report Page Seven
July 24, 2008 - Planning Commission Meeting

NOTICES MAILED 105

APPROVALS 0

PROTESTS 1

July 18, 2008

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, Nevada 89101

RE: APN: 138-12-110-020
Subject: A. General Plan Change
B. Zoning Change
C. Site Development Review
D. Special Use Permit
E. Rear Setback Variance
F. Landscape Waiver

To Whom it May Concern:

We respectfully submit this request for a Pre-Application Conference on behalf of our client, Brian Pool, for the property located at 3920 Leon Avenue. The intended use for the property is as a "Business Maintenance, Service and Sales Facility (Commercial & Business Services)" for Century Electric.

The current General Plan designation for this parcel is "Office (O)" and zoning designation of "O". We are requesting a General Plan Amendment to "Service Commercial (SC)" and a zone change to "C-1." The properties immediately to the west are currently under the general plan designation of "General Commercial (GC)" and are zoned "C-2." This zone change to C-1 would continue to allow a buffer for the residences to the east from the more intensive "C-2" zoned lots.

We would also like to request a Site Development Review for this project. The owner is planning to make improvements with the addition of a new 4,500 square foot structure used for secured tool storage along with an office area as well as a general storage area for supplies. The building will be Type 5-B construction with stucco system exterior finish. All new materials and colors will be compatible to the colors of the existing two-story structure. The required parking for the site improvement will be exceeded as 37 are required and 40 are being proposed for this site. We are anticipating this project will provide additional opportunities for people to work closer to their own homes which would reduce the need for time-consuming commutes.

We are also requesting for a Special Use Permit to allow for Outdoor Storage in C-1. The storage would be screened from view as required under Title 19, "Conditional Use Regulations: outside storage shall be screened from view from adjacent properties and streets." Presently, there is a screen (CMU) wall on the property with landscaping that would be added to on the west side of the property between the new structure and the new CMU wall.

In addition, we are requesting a variance of the commercial development standards to change the rear setback to 10'-10" where 20'-0" is required." In the site configuration shown, this setback is located next to a public alleyway which separates our parcel from the C-2 lots directly west. With the new configuration, this portion of the property would be screened by a decorative CMU wall which we would accent with a landscape buffer that will complement existing site landscaping on our parcel.

Submitted after final agenda
Date 7.24.08 PC Item 31-35

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GPA-28510, ZON-28511,
VAR-28514, SUP-28513

SDR-28512 REVISED

07/24/08 PC

Also, we request a waiver allowing us to modify the size of the landscape buffer from 8'-0" as required in the Title 19 with a 3'-10" strip of landscape which will work with the existing CMU along the west side allowing us to maintain a 5'-0" walkway from the building to the parking lot. In addition, we are requesting to allow a zero-foot landscape buffer along portions of the north, south and west perimeters where eight feet is required.

We are anticipating this project will provide additional opportunities for people to work closer to their own homes which would reduce the need for time-consuming commutes. Please consider this request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,

R. Brandon Sprague, AIA
APTUS Architecture

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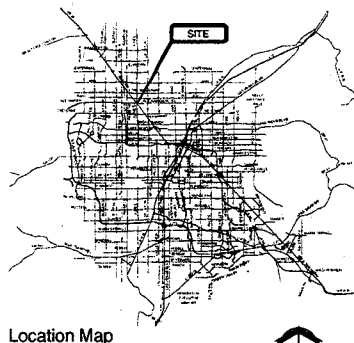
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Item 31-35

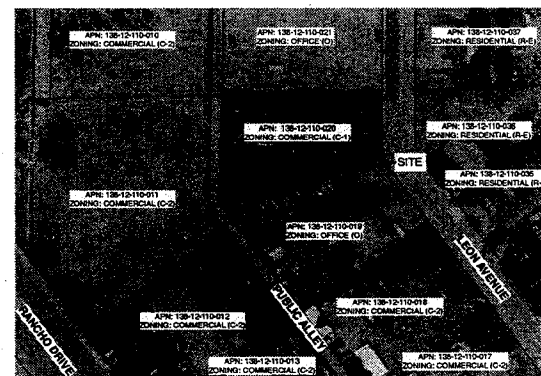
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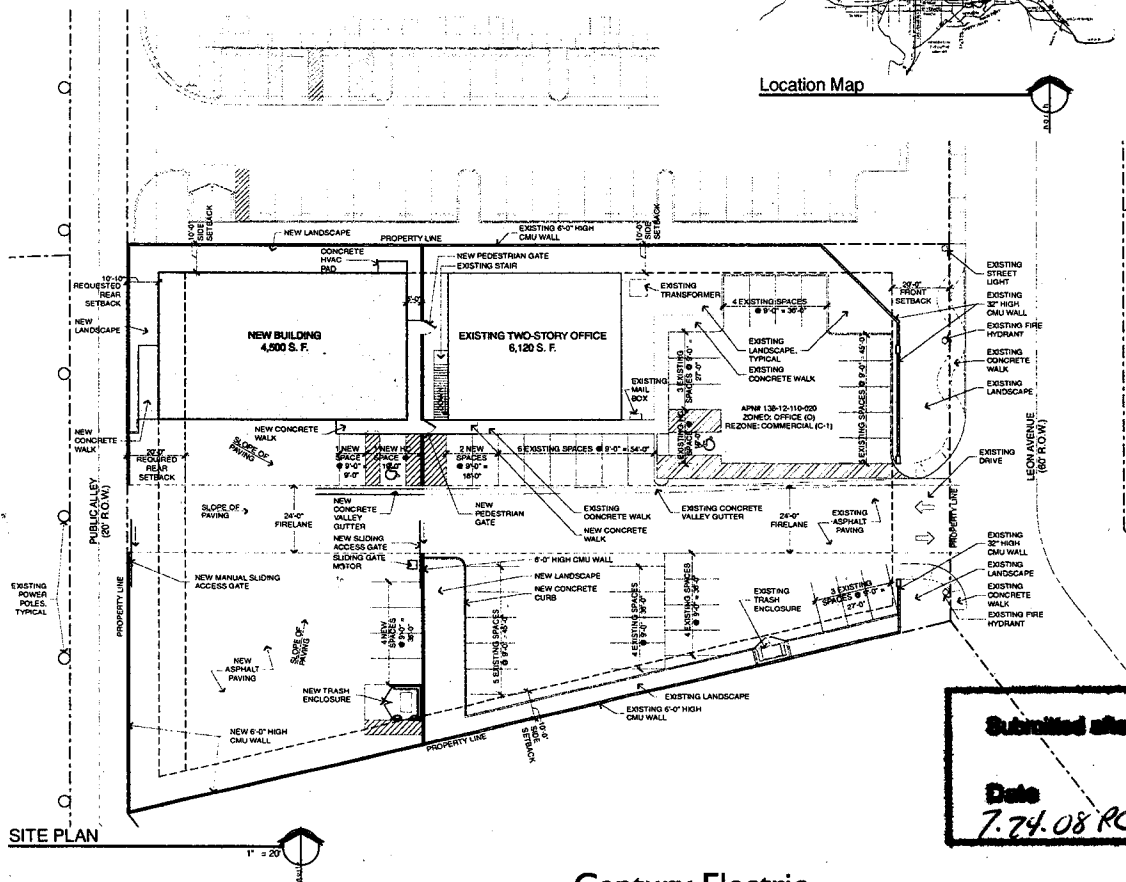
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Location Map



VICINITY MAP



Site and Project Information

SITE DATA

PARCEL NUMBER	130-12-110-020
JURISDICTION	CITY OF LAS VEGAS - 89130
DISTING ZONING	O (OFFICE)
PROPOSED ZONING	C4 (COMMERCIAL)
PROPOSED USE	OFFICE, BUILDING MAINTENANCE SERVICE AND SALES
SITE AREA	43,328.4 SF ± 1.04 GROSS ACRES ± 1.21 NET ACRES

SETBACKS (BUILDING)

	REQUIRED	PROVIDED
FRONT	20'-0"	20'-0"
INTERIOR SIDE	10'-0"	10'-0"
CORNER	20'-0"	20'-0"
REAR	20'-0"	10'-0"

MAX HEIGHT	NA
ACTUAL HEIGHT	24'-0"
LOT COVERAGE ALLOWED	50%
ACTUAL LOT COVERAGE	23.4%

BUILDING INFORMATION

CODE	2006 INTERNATIONAL BUILDING CODE
CONSTRUCTION TYPE	VB
OCCUPANCY	B-1
FIVE SPRINKLERS PROVIDED	NO
BUILDING AREAS	
EXISTING OFFICE (2-STORY)	6,120 SF
NEW OFFICE	128 SF
BUILDING MAINTENANCE SERVICE AND SALES	4,372 SF
TOTAL SQUARE FOOTAGE	10,520 SF

PARKING AREA

BUILDING AREAS	PARKING DEMAND	PARKING PROVIDED
EXISTING OFFICE	6,120 SF @ 11: 557 ± 21	9
NEW OFFICE	128 SF @ 11: 300 ± 1	1
BUILDING MAINTENANCE SERVICE AND SALES	4,372 SF @ 11: 328 ± 15	15
NO PARKING SPACES PROVIDED		40
TOTAL SPACES PROVIDED		65
OVERALL PARKING		41

Submitted after final agenda

Date 7.24.08 RC

Item 3A-38

Century Electric
Site Development Review
3920 Leon Avenue
Las Vegas, Nevada 89130

**GPA-28510, ZON-28511,
VAR-28514, SUP-28513
SDR-28512 REVISED
07/24/08 PC**

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested Official Notice of Public Hearing



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I SUPPORT
this Request

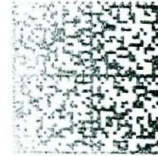
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this Request

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GPA-28510 & ZON-28511

Planning Commission Meeting of 7/24/2008

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Case: GPA-28510
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JOHNSON MICHAEL C & BETH ANN
5401 W ALEXANDER RD
LAS VEGAS NV 89130-2805

89130 2805



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Item 31
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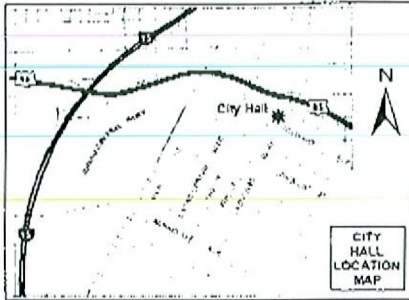
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I SUPPORT
this Request

I OPPOSE
this Request

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GPA-28510 & ZON-28511

Planning Commission Meeting of 7/24/2008

13812110058
FOX MARK & SUZANA
8913 EGYPTIAN AVE
LAS VEGAS NV 89143-1172

Case: GPA-28510

EA00511 89143



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Item 31
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City of Las Vegas
 Planning & Development Department
 Development Services Center
 731 S. Fourth Street
 Las Vegas, Nevada 89101-2986

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 Official Notice of Public Hearing**



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 this Request



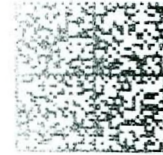
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GPA-28510 & ZON-28511

Planning Commission Meeting of 7/24/2008

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BAVDS11 89106



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