



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 20, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-28394 - APPLICANT/OWNER: KRAFT FAMILY, LP, ET AL

**** CONDITIONS ****

The Planning Commission (3-3/sd, ds, bg-1/rt vote on a motion for approval) failed to obtain a super majority vote which is tantamount to DENIAL and staff recommend DENIAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a General Plan Amendment to Amend a portion of the Northwest Sector of the Centennial Hills Master Plan from O (Office) to SC (Service Commercial) on 2.37 acres on the west side of Rainbow Boulevard, approximately 150 feet north of Red Coach Avenue.

In addition to this application, the applicant has submitted a request for a Rezoning (ZON-28396) from U (Undeveloped) [O (Office) General Plan designation] to C-1 (Limited Commercial) and a Site Development Plan Review (SDR-28397) for a 74,540 square-foot Mini-Storage and Boat/RV Storage Facility with Waivers to allow a zero-foot landscape buffer on the north and south property lines where eight feet is required and a 10-foot landscape buffer on the east property line where 15 feet is required for the subject property.

Additional companion items include a request for a Special Use Permit (SUP-28398 for a proposed Recreational Vehicle and Boat Storage Facility, a request for a Special Use Permit (SUP-28399) to allow for a proposed Mini-Storage Facility, a request for a Variance (VAR-28400) to allow five parking spaces where 16 parking spaces are required and a request for a Variance (VAR-28651) to allow a zero-foot building setback where 10 feet is required along the north and south property lines, a 10-foot setback where 20 feet is required along the east property line and a 10-foot setback where residential adjacency standards required 75 feet along the west property line. The SC (Service Commercial) land use designation is not compatible with the surrounding General Plan uses; therefore staff recommends denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/20/07	The City Council approved an Annexation (ANX-25478) of property located on the west side of the North Rainbow Boulevard alignment 580 feet south of the West Lone Mountain Road alignment containing approximately 3.94 acres. The Planning Commission and staff recommended approval of this request.
07/24/08	The Planning Commission recommended denial of companion items ZON-28396, VAR-28400, VAR-28641, SUP-28398, SUP-28399 and SDR-28397 concurrently with this application. The Planning Commission voted 3-3/sd, ds, bg-1/rt and failed to obtain a super majority vote which is tantamount to DENIAL (PC Agenda Item #21/dc).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with the subject properties.	

<i>Pre-Application Meeting</i>	
05/28/08	A pre-application meeting was held with the applicant where elements of a General Plan Amendment, a Rezoning, a Site Development Plan Review, a Special Use Permit for a Mini Storage Facility, a Special Use Permit for a Recreational Vehicle and Boat Storage facility, a Variance to allow a zero-foot setback where 10 feet is required and a 10-foot setback where 20 feet is required and a Variance to allow five parking spaces where 16 are required were discussed.
<i>Neighborhood Meeting</i>	
06/30/08	A neighborhood meeting was held at the Mountain Crest Community Center, 4701 North Durango Drive at 6:15 PM. The applicant, one Planning and Development staff member, one Clark County Commission Liaison and six area residents were present. The following was discussed: The representative for the applicant briefly described the proposed project. Members of the public raised the following questions and concerns: • A landscape buffer is shown within the alley (bridal path)/utility easement; the residents vehemently opposed any vacation of the alley or use of the alley for the development. • The residents requested that the perimeter wall surrounding the property be tall enough to prevent anyone from looking into their back yards; the applicant explained that the wall was shown at 15 feet in height. • The residents had concerns about lighting on the property (the applicant explained that downward-directed fixtures would be used to prevent spillover), and also expressed concerns about street lighting on Rainbow; they would prefer that rural lighting standards be maintained. Concern was also expressed regarding signage for the project, and impacts to residents of the area (the applicant stated that a wall sign on Rainbow was all that was shown on the plans).

<i>Field Check</i>	
06/17/08	A field check was performed by staff at the subject properties. The site was noted as being relatively flat, graded site with minimal weeds. Single-family homes were observed to the west of this property while recently completed apartments were observed to the east.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.37

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) [O (Office) General Plan Designation]
North	Undeveloped	O (Office)	U (Undeveloped) [O (Office) General Plan Designation]
South	Undeveloped	O (Office)	Clark County R-E (Rural Estates Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Single Family Residential	O (Office)	Clark County R-E (Rural Estates Residential)

<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			
A-O (Airport Overlay) District (175-Foot)	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

* The subject property is located within the North Las Vegas Airport Overlay within the 175-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

ANALYSIS

The subject properties are located within the Northwest Sector of the Centennial Hills Master 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 request for a Rezoning (ZON-28396) to change the sites zoning from U (Undeveloped) [O (Office) General Plan designation] 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-28396) to the C-1 (Limited Commercial) zoning district, the proposed Recreational Vehicle and Boat Storage and Mini-Warehouse Facility uses associated with this development are permissible uses in conjunction with an approved Special Use Permit. The requested to Amend a portion of the Northwest Sector of the General Plan from O (Office) to SC (Service Commercial) is not compatible with surrounding planned land uses; therefore staff recommends denial of this application.

- **General Plan**

Objective 2.2: To ensure that low density residential land uses within mature neighborhoods can exist in close proximity to higher density residential, mixed-use, or non-residential land uses by mitigating adverse impacts where feasible.

Policy 2.2.1: That any higher density or mixed-use redevelopment which is adjacent to lower density residential development incorporate appropriate design, transition, or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts.

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 not compatible with the existing O (Office) land use designations to the north, south and west of the subject site or the existing M (Medium Density Residential) land use designation to the east.

In regard to 2:

Policy 2.2.1 of the General Plan States, That any higher density or mixed-use redevelopment which is adjacent to lower density residential development incorporate appropriate design, transition, or buffering elements which will mitigate adverse visual, audible, aesthetic and traffic impacts. Parcels adjacent to the site are zoned R-E (Rural Estates Residential Clark County Designation), which allows a maximum density of up to two Units Per Acre, as well as minimum lot sizes of 20,000 square feet. The subject property includes minimal buffering to the adjacent residential uses, as well as Variances requesting encroachment within the setback requirements of Title 19, which will severely impact the adjacent single-family residential properties.

In regard to 3:

Site access is adequately provided by Rainbow Boulevard, classified as an 80-foot wide Secondary Collector by the Master Plan Streets and Highways. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 W. Cheyenne, located at the northwest corner of Cheyenne and Metro Academy Way. A fire station is located at Lone Mountain Road and Rainbow Boulevard is the closest city facility to the site. The proposed General Plan Amendment will have minimal impact on the adjoining transportation, utility and recreation services.

In regard to 4:

There are no other plans or policies that would be applicable.

PLANNING COMMISSION ACTION

There was one speaker in opposition to this project at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 116 by Planning Department

APPROVALS 1

PROTESTS 0