



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 23, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-30369 - APPLICANT: FOREST CITY - OWNER:
LIVEWORK, LLC., ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning of 12 parcels from C-M (Commercial/Industrial) to C-2 (General Commercial) on 1.75 acres adjacent to the east side of Main Street at the northeast and southeast corners of Bonneville and the southeast corner of Lewis Street. The proposed Rezoning to a C-2 (General Commercial) district will allow consistency with the existing General Plan designation of C (Commercial), therefore; staff is recommending approval of the subject Rezoning application.

Parcels and addresses affected by the subject Rezoning application

<i>APNs</i>	<i>Addresses</i>	<i>Existing Zoning</i>	<i>Proposed Zoning</i>
139-34-210-007	401 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-210-008	401 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-210-009	407 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-210-010	413 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-210-014	505 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-210-015	511 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-311-001	517 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-311-002	519 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-311-003	521 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-311-009	601 S. Main Street	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-311-008	5 E. Bonneville Ave.	C-M (Commercial/Industrial)	C-2 (General Commercial)
139-34-311-007	10 E. Bonneville Ave.	C-M (Commercial/Industrial)	C-2 (General Commercial)

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/94	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for a approximately 230 acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission recommended approval on 12/10/94.
12/01/04	A Citation (#24099) was issued by Code Enforcement for illegal dumping at 407 S. Main Street. The issue was resolved on 02/13/05.
03/16/05	The City Council approved a Site Development Plan Review (SDR-5503) for a 3,208 square-foot Car Wash/Drive-Through Deli/Coffee Shop and Waivers of the Downtown Centennial Plan Requirements for minimum floor area ratio, the front yard build-to-requirement, minimum glazing requirement, minimum-floor retail requirement, underground equipment and screening of auto-related facilities on 0.23 acres adjacent to the east side of Main Street, approximately 175 feet north of Bonneville Avenue. The Planning Commission recommended approval, but staff recommended denial.
05/25/05	A Citation (#30422) was issued by Code Enforcement for a trailer and trucks stored on a vacant lot at 521 S. Main Street. The issue was resolved on 06/09/05.
01/22/07	A Citation (#49484) was issued by Code Enforcement for a large wall sign on at 519 S. Main Street. The issue was resolved on 07/06/07.
01/22/07	A Citation (#49482) was issued by Code Enforcement for illegal signage at 10 E. Bonneville Avenue. The issue was resolved on 04/16/07.
04/04/07	The City Council approved a Vacation (VAC-19234) to Vacate a 20-foot wide section of public right-of-way generally located south of Bonneville Avenue, north of Garces Avenue between Main Street and 1st Street. The Planning Commission and staff recommended approval of the request.
04/04/07	The City Council approved a Vacation (VAC-19235) to Vacate a 20-foot wide section of public right-of-way generally located south of Lewis Avenue, north of Clark Avenue, between Main Street and First Street. The Planning Commission and staff recommended approval on 03/08/07.
06/05/07	A Citation (#54110) was issued by Code Enforcement for illegal signage at 10 E. Bonneville Avenue. The issue was resolved on 06/18/07.
06/18/07	Staff administratively approved a Temporary Sign Permit (TSP-22678) to allow two grand opening banners at 10 E. Bonneville Avenue. The request was valid for 60 days from 06/18/07 to 08/16/07.
03/05/08	A Citation (#62960) was issued by Code Enforcement for a painted sidewalk at 519 S. Main Street. The issue was resolved on 03/17/08.

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03/24/08	A Citation (#63681) was issued for a painted advertising sign on a wall at 519 S. Main Street. The issued was resolved on 04/22/08.
04/21/08	Staff Administratively approved a Temporary Sign Permit (TSP-27840) to allow a 12-foot x 12-foot banner sign advertising a bail bonds business located on the side of the building at 519 S. Main Street. The request was valid for 60 days beginning on 04/21/08 and commencing on 06/19/08.
06/04/08	The City Council approved an Extension of Time (EOT-27761) for a petition to Vacate (VAC-19234) a 20-foot wide section of public right-of-way generally located south of Bonneville Avenue, north of Garces Avenue between Main Street and 1 st Street.
06/04/08	The City Council approved an Extension of Time (EOT-27661) for a petition to Vacate (VAC-19235) a 20-foot wide section of public right-of-way generally located south of Lewis Avenue, north of Clark Avenue, between Main Street and 1 st Street.
<i>Related Building Permits/Business Licenses</i>	
12/09/91	A Building Permit (M-9042-91) was issued for a demo permit at 5 E. Bonneville Avenue. The permit was finaled on 03/05/92.
12/12/91	A Business License (#A32-00003) was issued for an adult bookstore at 601 S. Main Street.
12/12/91	A Business License (#C08-01443) was issued for a coin amusement machine at 601 S. Main Street.
12/12/91	A Business License (#V06-00012) was issued for a video viewing center at 601 S. Main Street.
04/21/94	A Business License (#M08-00109) was issued for a motel at 407 S. Main Street. The license was marked out on 09/02/05.
06/17/98	A Business License (#S25-00016) was issued for a second hand dealer class II at 519 S. Main Street. The license was marked out on 05/18/06.
08/25/98	A Building Permit (#L-3955-98) was issued for a fire repair permit at 407 S. Main Street. The permit was finaled on 09/25/98.
08/25/98	A Building Permit (#L-3956-98) was issued for a stair and deck repair at 407 S. Main Street. The permit was finaled on 10/01/98.
09/29/00	A Building Permit (L-3673-00) was issued for a cellular facility at 517 S. Main Street. The permit was finaled on 02/14/01.
05/11/01	A Building Permit (L-3669-01) was issued for a non-work certificate of occupancy at 401 S. Main Street. The permit was finaled on 05/14/01.
12/02/02	A Business License (#P35-00167) was issued for an outdoor payphone at 519 S. Main Street.
12/10/02	A Business License (#G02-00631) was issued for a garage auto repair minor at 401 S. Main Street. The license was marked out on 11/21/06.
01/31/03	A Business License (#B10-02027) was issued for building supplies/hardware at 10 E. Bonneville Avenue. The license was marked out on 07/25/06.

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02/25/03	A Business License (#A39-00001) was issued for auto parts sales at 505 S. Main Street. The license was marked out on 04/07/08.
05/04/06	A Business License (#B01-01137) was issued for a bail bond agency at 519 S. Main Street.
05/04/06	A Business License (#B18-00048) was issued for a bail agent/enforcement agent.
10/26/06	A Business License (#B01-01143) was issued for a bail bond agency at 10 E. Bonneville Avenue.
11/28/06	A Business License (#B01-01144) was issued for a bail bond agency at 10 E. Bonneville Avenue.
03/06/08	A Business License (#B18-00073) was issued for a bail agent/enforcement agent.
<i>Pre-Application Meeting</i>	
09/25/08	A meeting was held to discuss the requirements for a Rezoning application.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
10/01/08	A field check indicated the 12 parcels that apply to the subject rezoning. The existing parcels consist of various commercial uses. Illegal signage is present on the bail bond agency at 519 S. Main Street.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.75

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Bail Bond Service/Sexually Oriented Business/Vacant Auto Repair Garage, Minor/Motel and Auto Parts	C (Commercial)	C-M (Commercial/Industrial)
North	Bail Bond Service/Undeveloped/General Retail Store/Service Station and Motel	C (Commercial)	C-M (Commercial/Industrial)
South	Multi-Family Residential and Motel	C (Commercial)	C-M (Commercial/Industrial)
East	Vacant Multi-Family Residential/Motels/Parking Lots and Undeveloped	C (Commercial)	C-M (Commercial/Industrial)
West	Office/Warehouse/Parking Lots and Off-Premise	C (Commercial)	C-M (Commercial/Industrial)

	Advertising (Billboard) Sign		
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan - (Office Core District)	X		Y*
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District - (Office Core District)	X		Y*
A-O (Airport Overlay) District (200-foot)	X		Y**
Live/Work Overlay District	X		Y***
Trails	X		Y****
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Redevelopment Plan Area The subject site is located within the boundaries of the Las Vegas Redevelopment Plan Area.

***Downtown Centennial Plan (Office Core District)** The subject site is located within the boundaries of the Office Core District of the Downtown Centennial Plan. Downtown Las Vegas remains the governmental office core for the region. This is considered the central business district of the valley. It is home to both governmental and corporate office uses and supports retail, restaurant, and other service uses necessary to complete an active Office Core.

****A-O (Airport Overlay) District** The subject site is located within the 200-foot boundary of the A-O (Airport Overlay) District. The proposed Rezoning application does not affect the height limitations of the Airport Overlay District.

*****Live/Work Overlay District** This subject site is within the Live/Work Overlay District. The proposed Rezoning does not affect the Live/Work standards as outlined in Title 19.06.030.

******Trails** The subject site is adjacent to the proposed Monorail Trail. The proposed Rezoning application does not affect the proposed Monorail Trail.

ANALYSIS

This is a Rezoning request to change the subject sites zoning designation from C-M (Commercial/Industrial) to C-2 (General Commercial). The C-2 (General Commercial) district is designed to provide the broadest scope of compatible services for both the general and traveling public. The category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as Mixed-Use Developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 (General Commercial) district is also appropriate along commercial corridors.

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The C-2 (General Commercial) district is consistent with the existing C (Commercial) General Plan designation, which allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

The proposed Rezoning from C-M (Commercial/Industrial) to C-2 (General Commercial) would allow for consistency with the C (Commercial) General Plan land use designation. The Rezoning would allow for compatibility with the C-2 (General Commercial) zoning districts to the north, south and east of the subject site, therefore; staff is recommending approval the subject Rezoning application.

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 Rezoning from a C-M (Commercial/Industrial) district to a C-2 (General Commercial) district will allow conformance to the C (Commercial) land use designation.

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 C-2 (General Commercial) district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as Mixed-Use developments. These uses are compatible with adjacent developments in the Downtown Las Vegas area.

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

The proposed Rezoning is appropriate due to the continuing redevelopment of Downtown Las Vegas area as the regional center for finance, business, governmental services, entertainment, recreation and gaming.

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.

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Adequate access to the site is provided from Main Street a (100-foot) Primary Arterial. Access is also provided from Bonneville Avenue a (80-foot) Secondary Collector, Clark Avenue a (80-foot) Secondary Collector, Lewis Avenue a (80-foot) Secondary Collector and an alley way, which is accessed from the east side of the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 87

APPROVALS 1

PROTESTS 0