

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: APRIL 9, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - ZON-32142 - APPLICANT/OWNER: MESQUITE CLUB, INC**

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

**STAFF RECOMMENDATION: APPROVAL.**

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

**PROJECT DESCRIPTION**

This is a request for Rezoning from R-1 (Single Family Residential) to C-V (Civic) on 1.13 acres at 702 East St. Louis Avenue. The applicant has also submitted a General Plan Amendment (GPA-32139) to change the designation from L (Low Density Residential) to PF (Public Facilities). The existing use of the subject site for a Private Club, Lodge or Fraternal Organization is a permissive use within the proposed C-V (Civic) district, which is consistent with the proposed PF (Public Facilities) General Plan designation. As these requests will bring the existing use into conformance with the current requirements of Title 19 and the General Plan, staff is recommending approval of the Rezoning request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
01/06/60	The Board of City Commissioners approved a Special Use Permit (U-0031-59) for a Private Club, Lodge or Fraternal Organization at 702 E. St. Louis Avenue. The Board of Zoning Adjustment recommended approval.
11/06/03	A Code Enforcement complaint (#6532) was processed for graffiti at 702 E. St. Louis Avenue. The complaint was resolved on 11/21/03.
08/02/04	A Code Enforcement complaint (#19555) was processed for weekend activities resulting in trash and debris on neighboring properties at 702 E. St. Louis Avenue. The complaint was resolved on 08/17/04.
09/16/04	A Code Enforcement complaint (#21711) was processed for illegal rental of a facility for weekend activities at 702 E. St. Louis Avenue. The complaint was resolved on 01/25/05.
02/14/05	A Code Enforcement complaint (#25988) was processed for graffiti at 702 E. St. Louis Avenue. The complaint was resolved on 02/22/05.
02/27/06	A Code Enforcement complaint (#38714) was processed for graffiti at 702 E. St. Louis Avenue. The complaint was resolved on 03/07/06.
04/17/06	A Code Enforcement complaint (#40284) was processed for a block wall that fell over in the rear parking lot at 702 E. St. Louis Avenue. The complaint was resolved on 05/18/06.
01/08/09	The Planning Commission, at the request of the applicant, held in abeyance requests for a General Plan Amendment (GPA-32139) to amend a portion of the Southeast Sector Plan of the General Plan from L (Low Density Residential) to PF (Public Facilities) and a Rezoning (ZON-32142) from R-1 (Single Family Residential) to C-V (Civic) on 1.13 acres at 702 East St. Louis Avenue.

**ZON-32142 - Staff Report Page Two**  
**April 9, 2009 - Planning Commission Meeting**

03/12/09	The Planning Commission, at the request of the applicant, held in abeyance requests for a General Plan Amendment (GPA-32139) to amend a portion of the Southeast Sector Plan of the General Plan from L (Low Density Residential) to PF (Public Facilities) and a Rezoning (ZON-32142) from R-1 (Single Family Residential) to C-V (Civic) on 1.13 acres at 702 East St. Louis Avenue.
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***Related Building Permits/Business Licenses***

07/21/99	A building permit (#99014213) was issued for a detached metal accessory structure at 702 E. St. Louis Avenue. The permit was finalized on 12/06/99.
11/19/99	A building permit (#99022393) was issued for a boiler change out at 702 E. St. Louis Avenue. The permit expired on 04/29/00.
01/05/05	Business licenses were issued for a General Non-Profit Club (#L13-00019) and for Non-Profit Community Service (#N31-00073) at 702 E. St. Louis Avenue. The licenses are still active.
11/13/06	A building permit (#76146) was issued for an electrical panel upgrade at 702 E. St. Louis Avenue. The permit has not been finalized.

***Pre-Application Meeting***

11/06/08	A pre-application meeting was held to discuss the submittal requirements for applications for a General Plan Amendment and a Rezoning.
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***Neighborhood Meeting***

12/08/08	<p>A neighborhood meeting was held at the Mesquite Club at 702 E. St. Louis Avenue, Las Vegas, NV 89104. The meeting was attended by three representatives for the applicant, 14 members of the general public and one staff person from the Planning and Development Department. The following comments/concerns were voiced:</p> <ul style="list-style-type: none"> <li>• Past parties had been a problem in 2004. Currently one guest per member, was noted by a Mesquite Club representative. The applicant indicated their functions will not be loud.</li> <li>• Residents were concerned about events bringing persons into community.</li> <li>• Residents were concerned about booking events late on work nights.</li> <li>• Residents questioned what alcohol permit is here?</li> <li>• Residents believed that the wall should be taller around the parking lot.</li> <li>• Other concerns: noise, nuisances, alcohol use, proximity to residential, more events in the future.</li> </ul>
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***Field Check***

12/04/08	A field check was conducted by staff. The site was clean and well maintained. The parking lot striping is faded and almost illegible, and the lot surface is cracked and in need of resealing/resurfacing. There is a permitted metal shed in the rear yard that is surrounded by an unpermitted chain link fence topped with barbed wire.
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**ZON-32142 - Staff Report Page Three**  
**April 9, 2009 - Planning Commission Meeting**

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.14 Acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Service Organization (Mesquite Club)	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
East	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
West	Church/House of Worship	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Beverly Green / Southridge Neighborhood Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District (175 Feet)	X		Y
<b>Trails</b>	X		Y
<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

**DEVELOPMENT STANDARDS**

Minimum development standards for property in the proposed C-V District shall be established by the City Council in connection with the approval of a rezoning application or administratively in connection with the approval of a site development plan. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. There is no proposed Site Development Plan Review at this time; all development on the subject site is existing. Any future development shall require the approval of a Site Development Plan Review.

**ZON-32142 - Staff Report Page Four**  
**April 9, 2009 - Planning Commission Meeting**

## **ANALYSIS**

The subject site is located in the Southeast Sector Plan of the General Plan and has a current designation of L (Low Density Residential). A General Plan Amendment (GPA-32139) to change the designation to PF (Public Facilities) has been submitted along with this Rezoning request. The PF (Public Facilities) category allows for large governmental building sites and complexes, police and fire facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

This is a proposal to Rezone the site from R-1 (Single Family Residential) to C-V (Civic). The proposed C-V (Civic) zoning district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. The existing Private Club, Lodge or Fraternal Organization at this location is permissible in the C-V (Civic) zoning district, which is consistent with the PF (Public Facilities) General Plan designation as proposed; therefore, staff is recommending approval of the Rezoning request.

- **Private Club, Lodge or Fraternal Organization Use**

1. Private Club means a facility of a private organization for the preparation and service of food and/or drink for members and their guests.
2. Lodge or Fraternal Organization means a facility for a special purpose organization for the sharing of sports, arts, literature, politics or other similar interests; but not primarily for profit or to render a service that is customarily carried on as a business.

- **Uses Permitted by Special Use Permit in the C-V (Civic) District**

The following uses may be permitted in the C-V district by means of Special Use Permit if in each case the parcel or use is operated or controlled by an agency or subdivision of local, State or Federal government:

1. Custodial institution;
2. Publicly operated convention and stadium facility;
3. Liquefied petroleum gas installation;
4. General business related gaming establishment;
5. Liquor establishment (tavern);
6. Restaurant service bar;
7. Supper club;
8. Banquet facility (with alcoholic beverage sales);
9. On-sale beer/wine/cooler establishment; and
10. Social event with alcoholic beverage sales.

**ZON-32142 - Staff Report Page Five**  
**April 9, 2009 - Planning Commission Meeting**

The applicant has stated that they are requesting this Rezoning, along with the associated General Plan Amendment, in part to allow the property to be used for banquet activities as an accessory use and for members only. These activities will help to continue to fund the Mesquite Clubs service to the Las Vegas community. By definition, these activities are permissible for a Private Club, Lodge or Fraternal Organization, *but only where the activities are conducted for members and their guests*. The use of the property for banquets and other social events by or for non-members is not allowed, except as noted above when the use is operated or controlled by an agency or subdivision of local, State or Federal government, and then only in conjunction with the approval of a Special Use Permit.

In 2004, complaints were received by the city regarding the rental of the subject site for activities unrelated to the club. The subsequent review determined that, while club activities are allowed to occur at the site, uses associated with non-club members were not allowed. The current active business license for a General Non-Profit Club (#L13-00019) allows alcohol to be served at club functions, but does not allow alcohol service for other non-club functions.

## **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 existing Private Club, Lodge or Fraternal Organization at this location is permissible in the proposed C-V (Civic) zoning district as it is operated by a recognized service organization. The C-V (Civic) zone is consistent with the proposed PF (Public Facilities) General Plan 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.**

Pursuant to Title 19.06.020, minimum development standards for property in the C-V district shall be established by the City Council in connection with the approval of a Rezoning application or administratively in connection with the approval of a site development plan. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area.

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

The proposed Rezoning, along with the proposed General Plan Amendment, will bring the existing Private Club use into conformance with both Title 19 and the General Plan.

**ZON-32142 - Staff Report Page Six**  
**April 9, 2009 - Planning Commission Meeting**

- 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.**

The subject site is accessed by two driveways onto St. Louis Avenue, an 80-foot Secondary Collector, as designated in the Master Plan of Streets and Highways. The street provides adequate access to meet the requirements of the proposed C-V (Civic) zoning district.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 14

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 330

**APPROVALS** 4

**PROTESTS** 2