



AGENDA MEMO

CITY COUNCIL MEETING OF: SEPTEMBER 16, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-34597 - APPLICANT: DR. ARTHUR WEATHERS - OWNER:
2701 WESTWOOD, LLC**

**** CONDITIONS ****

The Planning Commission (5-2/vq/rt vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a General Plan Amendment to amend a portion of the Southeast Sector of the Centennial Hills Master Plan from C (Commercial) to LI/R (Light Industry/ Research) on 1.45 acres at 2701 Westwood Drive. The applicant proposes to utilize the subject parcel as a Custodial Institution for up to 100 parolees, with accessory dog training facilities within an existing Office/Warehouse building. If denied, the associated Special Use Permit for a Custodial Institution cannot be approved, as the use is too intense for the existing General Plan designation.

ISSUES

- The proposed LI/R (Light Industry/Research) General Plan designation is consistent with the M (Industrial) zoning district, which will allow more intense uses, including the proposed Custodial Institution, and would be compatible with the surrounding land uses; therefore, staff is recommending approval of the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/12/61	The Board of City Commissioners approved a request for Reclassification of Property (Z-0062-60) from R-E (Residence Estates) to M-1 (Light Industry) generally located south Sahara Avenue between Highland Drive and the proposed freeway [Interstate 15].
10/28/93	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0062-60(1)] for a warehouse and office building at 2701 Westwood Drive.
03/08/98	The Board of Zoning and Adjustment approved a request for a Variance (V-112-98) to allow a proposed 16,097 square-foot addition to an existing legal non-conforming warehouse building on the side property line where 10 feet is the minimum setback required; and to allow 51 parking spaces where 59 spaces are the minimum required at 2701 Westwood Drive.
05/27/99	The Planning Commission approved a request for a Site Development Plan Review [Z-0062-60(2)] for a proposed 23,148 square foot addition to an existing Print Shop on property located at 2701 Westwood Drive.
09/14/04	A deed was recorded for change of ownership.
04/20/05	A Code Enforcement case (#29063) was processed for outside storage at 2701 Westwood Drive. Code Enforcement closed the case on 06/16/05.

01/17/06	A Code Enforcement Case (#37578) was processed for using the designated parking area for storage, forcing employees to park in complainant's parking lot at 2701 Westwood Drive. Code Enforcement closed the case on 01/18/06.
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval of the request.
03/04/08	A Code Enforcement case (#62937) was processed for customer who called and asked for assistance at this commercial manufacturing & Processing Plant. States there are environmental and other issues and would like a complete exterior inspection of the business and grounds. Code Enforcement closed the case on 01/14/09.
07/24/08	The Planning Commission approved a request for a Site Development Plan Review (SDR-28536) for a minor amendment to an approved Site Development Plan Review [Z-0062-60(1)] to allow for parking lot modifications at 2701 Westwood Drive.
08/13/09	The Planning Commission recommended denial of companion item SUP-34598 concurrently with this application. The Planning Commission voted 5-2/vq/rt to recommend APPROVAL (PC Agenda Item #14/jb).
<i>Related Building Permits/Business Licenses</i>	
06/08/94	A building permit (#94335306) was issued for On-site Improvements at 2701 Westwood Drive. This permit was expired on 12/02/95.
	A building permit (#94335307) was issued for a warehouse/office building Certificate of Occupancy at 2701 Westwood Drive. This permit was completed on 11/02/94.
09/12/94	A building permit (#94347595) was issued for a masonry wall at 2701 Westwood Drive. This permit was completed on 11/03/94.
12/29/00	A building permit (#23291) was issued for a Tenant Improvement to install a paper collector at 2701 Westwood Drive. This permit was expired on 07/07/01.
<i>Pre-Application Meeting</i>	
05/14/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit were discussed topics included. • Title 19 Zoning Code requirements • Application Materials and Documents • Meeting Dates and Deadlines

<i>Neighborhood Meeting</i>	
06/09/09	A neighborhood meeting was held on Tuesday, June 9th at 6:30 PM at 2701 Westwood Drive, Las Vegas. Four members from the applicant attended the meeting along with one staff member from the Ward 1 City Council office and one member of the Planning and Development staff. No members of the public attended the meeting. The applicant clarified that they would only be renovating and using the first floor of the building. Pending a positive review of their Special Use Permit (if approved), they may submit a request to renovate the second floor of the building and increase the number of residents. The applicant noted that the pet day care use shown on the plans would be a separate business unrelated to the custodial institution. The applicant would drive to major employment centers (such as casinos) in the morning, pick up employees' pets, care for them at the Westwood location during the day, and drive back to the employment centers to return the pets to employees.
<i>Field Check</i>	
06/04/09	During a routine site inspection performed by staff the subject property was noted as having • Required landscaping along the eastern property line has either been removed or is dying. • No ADA van accessible parking space located on the site. All landscaping infractions have been forwarded to code enforcement.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Warehouse	C (Commercial)	M (Industrial)
North	Motel	C (Commercial)	M (Industrial)
South	Parking Lot	LI/R (Light Industry/Research)	M (Industrial)
East	Parking Lot	LI/R (Light Industry/Research)	M (Industrial)
West	Interstate (I-15)	ROW (Right-of-Way)	ROW (Right-of-Way)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<i>Special Area Plan</i>			
Downtown Centennial Plan	X		Y

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O Airport Overlay District – 175 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 site is located in the Southeast Sector of the General Plan and has a current General Plan designation of C (Commercial). This is a proposal to amend the General Plan designation to LI/R (Light Industry/ Research). The Light Industry / Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed. This category may also allow mixed-use development with a residential component as a transition to less-intense uses where appropriate. The LI/R (Light Industry/ Research) General Plan designation is compatible with the surrounding industrial and warehouse uses.

A companion application for a Special Use Permit (SUP-34598) has been submitted for a Custodial Institution use, and will utilize an existing Office/Warehouse to provide living space, re-entry programs, in-house counseling and job placement assistance for up to 100 parolees. The proposed use is permitted with the approval of a Special Use Permit in the M (Industrial) zoning district, and is consistent with the LI/R (Light Industry/Research) General Plan designation; therefore, staff is recommending approval of this 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.

In regard to “1”:

The LI/R (Light Industry/ Research) General Plan designation allows for low-intensity industrial uses. The proposed amendment is compatible with the existing adjacent LI/R (Light Industry/ Research) and C (Commercial) designations.

In regard to “2”:

The subject property currently has an M (Industrial) zoning classification, which is consistent with the proposed LI/R (Light Industry/ Research) General plan designation.

In regard to “3”:

The site is accessed by Westwood Drive, designated as a 70-foot Frontage Street in the Master Plan of Streets and Highways, and is adequate for the uses permitted by the proposed amendment.

In regard to “4”:

The proposed amendment conforms to the Downtown Centennial Plan and the Downtown Overlay District.

PLANNING COMMISSION ACTION

There were seven speakers opposed to this project at the Planning Commission Meeting and one in favor.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 55 by City Clerk

APPROVALS 1

PROTESTS 9