

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JUNE 25, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: TMP-34429 - ISAIAH CROSSING - APPLICANT/OWNER:
EMERALD LAKE, INC. AND UZOMA AND MARCEL EZEOKÉ**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-27314) and the West Las Vegas Plan Area.
3. Conformance with all interagency recommendations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. Street names must be provided in accordance with the City's Street Naming Regulations.

Public Works

6. The Final Map for this site shall be labeled as a Merger and Resubdivision.
7. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.
8. All subdivided parcels comprising this commercial subdivision shall provide perpetual inter-site common drainage rights across all existing and future parcel limits and a note to this effect shall appear on the Final Map for this site.
9. Site development to comply with all applicable conditions of approval for Site Development Plan Review (SDR27314) and all other subsequent site-related actions.

TMP-34429 - Conditions Page Two
June 25, 2009 - Planning Commission Meeting

10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivisionrelated construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

TMP-34429 - Staff Report Page One
June 25, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a one-lot commercial subdivision on 1.72 acres on the north side of Lake Mead Boulevard, approximately 175 feet east of Martin L. King Boulevard. The applicant is proposing a one-lot commercial subdivision with an approved Site Development Plan Review (SDR-27314) for a 17,620 square-foot retail development. This request is appropriate for this area of the City and the West Las Vegas area; therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
09/02/87	The City Council approved a Rezoning (Z-0067-87) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on the northeast corner Lake Mead Boulevard and Highland Drive. The Planning Commission and staff recommended approval of the request.
06/25/96	The Board of Zoning Adjustment approved a Special Use Permit (U-0052-96) for a 3,872 square-foot single-story Church/House of Worship at the northeast corner of Lake Mead Boulevard of Lexington Street. Staff recommended approval of the request.
03/07/01	The City Council approved a General Plan Amendment (GPA-0044-00) from ML (Medium Low Density Residential) and SC (Service Commercial) to SC (Service Commercial) and a Rezoning (Z-0119-00) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on 1.02 acres east side of Martin L. King Boulevard between Lake Mead Boulevard and Hart Avenue. The Planning Commission and staff recommended approval of the request.
05/27/04	A deed was recorded for a changed of ownership for APNs: 139-21-610-222, 139-21-610-224, 139-21-610-225, 139-21-610-294, 139-21-610-295 and 139-21-610-332
07/14/04	A deed was recorded for a change of ownership for APN: 139-21-610-223
03/27/05	A Code Enforcement complaint (#27810) was processed for weeds at 1401 Hart Avenue. The complaint was closed by Code Enforcement on 04/17/05.
03/27/05	A Code Enforcement complaint (#27809) was processed for weeds at 1353 Hart Avenue. The complaint was closed by Code Enforcement on 04/17/05.
03/27/05	A Code Enforcement complaint (#27808) was processed for weeds at 1341 Hart Avenue. The complaint was closed by Code Enforcement on 04/17/05.
07/31/05	A Code Enforcement complaint (#33126) was processed for an abandoned vehicle at 1389 Hart Avenue. The complaint was closed by Code Enforcement on 08/07/05.

TMP-34429 - Staff Report Page Two
June 25, 2009 - Planning Commission Meeting

10/14/05	A Code Enforcement complaint (#35354) was processed for a vacant building at 1341 Hart Avenue. The complaint was closed by Code Enforcement on 04/06/06.
09/16/07	A Code Enforcement complaint (#57873) was processed for refuse at APN: 139-21-610-332. No address is assigned to the vacant parcel. The complaint was closed by Code Enforcement on 10/06/07.
08/06/08	The City Council approved a General Plan Amendment (GPA-27309) from MLA (Medium Low Density Residential) to SC (Service Commercial) on 1.01 acres; a Rezoning (ZON-27311) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on 2.1 acres, and Site Development Plan Review (SDR-27314) for a 17,620 square-foot retail development, including a 2,000 square-foot medical office building with a Waiver to allow a 3.5-foot perimeter landscape buffer along a portion of the north property line where a 15-foot landscape buffer is required on the south side of Lake Mead Boulevard, approximately 175 feet east of Martin L King Boulevard. The Planning Commission and staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
There are no related building permits or business licenses as the site is vacant. Civil improvement plans (#31991), have been submitted, and are under review by staff.	
<i>Pre-Application Meeting</i>	
04/27/09	The following items were discussed at the pre-application meeting: • The application for a one-lot commercial subdivision and the previously approved General Plan Amendment (GPA-27309), Rezoning (ZON-27311) and Site Development Plan Review (SDR-27314). • No existing building permits or business licenses on the subject site, except for civil improvement plans (#31991), which are under review. • Conformance with Public Works requirements for the following; sewer contributions, cross-sections, and the designation of topography on the plans.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application nor was one held.	

<i>Field Check</i>	
05/21/09	A field check was completed on the indicated date. The following items were observed: • The vacant parcels on the subject site were noted. • The existing businesses and single-family homes adjacent to the subject site were also noted.

TMP-34429 - Staff Report Page Three
June 25, 2009 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.72 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped [Approved Site Development Plan Review (SDR-27314)]	SC (Service Commercial) and C (Commercial)	C-1 (Limited Commercial)
North	Single-Family Dwellings and Churches	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
South	Andre Agassi Preparatory School and Retail	C (Commercial)	C-V (Civic) and C-1 (Limited Commercial)
East	Undeveloped and Church/House of Worship	MLA (Medium Low Attached Density Residential) and C (Commercial)	R-2 (Medium-Low Density Residential)
West	Restaurant	C (Commercial) and SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
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

ANALYSIS

This is a request for a one-lot commercial subdivision on 1.72 acres on the north side of Lake Mead Boulevard, approximately 175 feet east of Martin L King. The proposed one-lot commercial subdivision will combine seven parcels into one lot consisting of 1.72 acres. The subject site was entitled for a Site Development Plan Review (SDR-27314) for a 17,620 square-

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TMP-34429 - Staff Report Page Four
June 25, 2009 - Planning Commission Meeting

foot retail development, including a 2,000 square-foot medical office building with a Waiver to allow a 3.5-foot perimeter landscape buffer along a portion of the north property line where a 15-foot landscape buffer is required.

FINDINGS

•General information (Residential/Commercial)

The subject site is designated as both SC (Service Commercial) and C (Commercial) land use designation. The SC (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. 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 within a residential component where appropriate. The C (Commercial) category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

•Cross Section

Pursuant to Section 18.08.110, cross sections have been submitted for the proposed one-lot commercial subdivision. There is a 1.1 percent change in the grade across the site from west to east and a 0.8 percent change from north to south. The applicant is proposing a six-foot perimeter CMU block wall around the perimeter of the subject site.

•Trails

There are no trails that impact the subject site.

•Special Conditions of Approval from Site Development Plan Review (SDR-27314)

4. A Waiver from Title 19.12.040(A) is hereby approved, to allow a 13.5-foot wide landscape buffer along the north property line where 15 feet is required.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan. In addition to the landscape provided along the northern landscape buffer, a landscaped berm shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0