

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MAY 27, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: JALALA, LLC

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
ZON-37634	Staff recommends DENIAL.	

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for Rezoning from R-3 (Medium Density Residential) to C-2 (General Commercial) at 630 South Eleventh Street. The subject site has a current land use designation of C (Commercial). The lot is adjacent to an existing professional office use and general retail use along Eleventh Street between Garces Avenue and Bonneville Avenue. The proposed rezoning would allow uses that are incompatible to the surrounding land uses; therefore, staff recommends denial. If denied, the lot will remain designated R-3 (Medium Density Residential), the zoning designation will remain inconsistent with the current General Plan and no commercial uses may exist on the property except for those allowed by Title 19.

ISSUES:

- The C-1 (Limited Commercial) district would be a more appropriate zoning district for the subject site, as it would allow less intense commercial uses that will buffer residential and offices uses from the more intense C-2 corridor along Charleston Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/13/55	The Board of City Commissioners denied the request for Rezoning (Z-0044-54) From R-3 to C-2 of Lots 18 and 19, Block 23, Wardie Addition and Lots 29 and 30, Block 24 at the northwest corner of Eleventh Street and Garces Avenue. Planning Commission and staff recommended denial.
11/02/55	The Board of City Commissioners denied the request for Rezoning (Z-0001-55) From R-4 to C-2 of Lots 31 and 32, Block 24, Pioneer Heights Addition and Lot 16 and 17, Block 23, Wardie Addition at the northwest corner of Eleventh Street and Graces Avenue. Planning Commission and staff recommended denial.
11/05/80	The Board of City Commissioners approved the request for a Variance (V-0078-80) to allow the construction of a building for office and production facilities for a publishing and printing business which is not a permitted use on property generally located on the west side of Eleventh Street, 50 feet north of the corner of Eleventh Street and Garces Avenue in Zoning District R-3. The Board of Zoning Adjustment and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
08/11/09	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
09/03/82	A building permit (#3311) was issued for a book store at 630 South 11 th Street.
02/10/83	A business license (B06-00038) was issued for a book store at 630 South 11 th Street. The license was marked inactive on 07/30/09.

<i>Pre-Application Meeting</i>	
03/09/2010	A pre-application meeting was held with the applicant, where requirements for submittal of Rezoning applications were explained. The following topics were discussed: • Justification letter should indicate that the use of the building will remain the same and that no building expansion will be made. • State in the justification letter that the current parking configuration will not change.

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
04/22/10	There is graffiti on the roof of the building along the southern and eastern elevations.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.23

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Retail Building	C (Commercial)	R-3 (Medium Density Residential)
North	Office	C (Commercial)	R-3 (Medium Density Residential)
South	Motor Vehicles Sales (Used)	C (Commercial)	C-2 (General Commercial)
East	Shopping Center	C (Commercial)	C-2 (General Commercial)
West	Office	C (Commercial)	R-3 (Medium Density Residential)

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-3 (Medium Density Residential)	13-25 Dwelling Units per Gross Acre	N/A
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-2 (General Commercial)	N/A	N/A
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C (Commercial)	N/A	N/A

ANALYSIS

The subject site is located in the Southeast Sector of the General Plan and has a current land use designation of C (Commercial). The C (Commercial) category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial). The GC (General Commercial) category allows retail, service, wholesale, office and other general business uses of a more intense commercial character. These uses may include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used car sales, recreational vehicle and boat sales, car body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses.

The request to Rezone the subject site from R-3 (Medium Density Residential) to C-2 (General Commercial) would, allow uses, including auto sales, repair, and recreational facilities, that are too intense for the surrounding adjacent residential and office uses. However, the C-1 (Limited Commercial) district would be a more appropriate zoning district for the subject site, as it would allow less intense commercial uses that will buffer residential and offices uses from the more intense C-2 corridor along Charleston Boulevard. The proposed rezoning would allow uses that are incompatible with the surrounding land uses; therefore staff recommends denial of the request.

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FINDINGS (ZON-37634)

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 C-2 (General Commercial) zoning district is consistent with 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-1 (Limited Commercial) district would be a more appropriate zoning district for the subject site, as it would allow less intense commercial uses that will buffer residential and offices uses from the more intense C-2 corridor along Charleston Boulevard.

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

Growth and development factors in the community do not indicate the need or appropriateness of the proposed Rezoning. The proposed Rezoning will allow uses on the subject property that are too intense for the adjacent land uses. The C-1 (Limited Commercial) zoning district would be more appropriate as it would allow conformance with the existing General Plan designation and would allow less intense uses that are compatible with the surrounding adjacent land uses.

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 site receives access from Charleston Boulevard, a 100-foot Primary Arterial via Eleventh Street, an 80-foot local street. Site access will not impact adjacent roadways or neighborhood traffic.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

NOTICES MAILED

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APPROVALS

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PROTESTS

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