



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS – OWNER: NV ENERGY

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-39357	Staff recommends APPROVAL.	N/A
ZON-39358	Staff recommends APPROVAL.	GPA-39357

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to amend a portion of the Southeast Sector Plan of the General Plan from MXU (Mixed Use) and C (Commercial) to PF (Public Facilities) with a companion request for a Rezoning (ZON-39358) from R-2 (Medium-Low Density Residential) to C-V (Civic) on 1.19 acres on the southwest corner of Clark Avenue and 14th Street, which consists of two parcels. A Wireless Communication Facility currently exists on the northern parcel and an Electric Utility Substation on the southern parcel. The purpose for the General Plan Amendment and Rezoning is to correct the land use designation to match the existing use. The property will continue to be used as an Electric Utility Substation and Wireless Communication Facility; therefore, staff recommends approval. If these applications are denied, the General Plan designation would remain MXU (Mixed Use) and C (Commercial), and the zoning designation would remain R-2 (Medium-Low Density Residential).

ISSUES

- Approval of General Plan Amendment (GPA-39357) is required to approve an associated request for Rezoning (ZON-39358).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/03/08	The Planning and Development Department administratively approved a request for a Minor Review for a Site Development Plan Review (SDR-27809) to allow a proposed co-location of six antennas on an existing 63-foot Wireless Communication Facility, Non-Stealth at 510 South 14 th Street.
05/05/10	The Planning and Development Department denied a request for a Minor Review for a Site Development Plan Review (SDR-38148) to remove three existing antennas (one per sector); install six antennas (two per sector) at the 50-foot centerline and nine DAP heads (three per sector) at the 45-foot centerline of an existing 60-foot tall wireless communication facility (non-stealth design), in addition to installing one GPS antenna on a steel pole at the base of the structure located at 510 South 14 th Street.

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Related Building Permits/Business Licenses	
12/08/04	A building permit (#04021734) was issued to install unmanned Wireless Communications Facility at 510 South 14 th Street. The building permit had a final inspection on 12/23/04.
08/26/08	A building permit (#118230) was issued for a collocation on an existing Wireless Communication Facility tower with new pad for equipment at 510 South 14 th Street. The building permit had a final inspection on 03/04/09.

Pre-Application Meeting	
08/27/10	A pre-application meeting was done internally, as the applicant is the City of Las Vegas.

Neighborhood Meeting	
09/21/10	<p>A neighborhood meeting was held at 5:30 p.m. at the City of Las Vegas Development Services Center at 731 South 4th Street, Las Vegas, Nevada in Conference Room 2B. The people in attendance were one from Planning and Development staff, one liaison from Ward 5 and four members of the public. The members of the public had the following questions and comments relative to the proposed General Plan Amendment applications:</p> <ul style="list-style-type: none"> • A resident wanted details on the Tax Improvement District that is being created in the vicinity of the proposed Mob Museum. • A resident wanted to know if the substation site at 14th Street and Clark Avenue was going to be developed; staff indicated that the substation would remain, and that the General Plan Amendment was to correct the land use designation to match the existing use. • No significant concerns were expressed relative to the proposed land use designation changes.

Field Check	
09/16/10	A site visit by staff noted a well maintained Electric Utility Substation and Wireless Communication Facility.

Details of Application Request	
Site Area	
Net Acres	1.19

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<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	Electric Utility Substation	C (Commercial)	R-2 (Medium-Low Density Residential)
	Wireless Communication Facility	MXU (Mixed Use)	
North	Single Family Residential	MXU (Mixed Use)	R-2 (Medium-Low Density Residential)
South	General Retail Store	C (Commercial)	C-2 (General Commercial)
	Motor Vehicle Sales		
East	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
	General Retail Store		
West	Apartments	MXU (Mixed Use)	R-4 (High Density Residential)
	State of Nevada Youth Group Home		

<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

<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
<i>Local Street – 14th Street</i>	N/A	65	N/A
<i>Local Street – Clark Avenue</i>		80	

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ANALYSIS

The purpose of the General Plan Amendment and Rezoning is to correct the land use designation to match the existing use. The subject parcels are located within the Live/Work Overlay District and the Las Vegas Redevelopment Plan Area. No new development is proposed as part of this application. These properties will continue to be used as an Electric Utility Substation and Wireless Communication Facility. The proposed PF (Public Facilities) General Plan designation as well as the proposed C-V (Civic) zoning district is intended for public and quasi-public uses such as schools, libraries, public parks, electrical transmission facilities and other public utility facilities, therefore, staff recommends approval.

FINDINGS (GPA-39357)

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,

The proposed PF (Public Facilities) designation allows for a Wireless Communication Facility and Electric Utility Substation that are currently located within each parcel and are compatible with the 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,

The proposed Rezoning to C-V (Civic) allows for Wireless Communication Facility and Electric Utility Substation uses. The existing uses are compatible with existing adjacent 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

The subject properties contain a Wireless Communication Facility and an Electric Utility Substation. These sites can be accessed from Clark Avenue and 14th Street. Therefore, there are adequate facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

No applicable plans are affected by this request.

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FINDINGS (ZON-39358)

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-V (Civic) zoning district conforms to 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.

The proposed C-V (Civic) zoning district would permit schools, libraries, public parks, electrical transmission facilities and other public utility facilities that are compatible with the surrounding land uses and zoning districts.

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

The proposed Rezoning is appropriate to be consistent with existing Wireless Communication Facility and Electric Utility Substation uses. The existing R-2 district is not appropriate for utility 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 access to the subject sites is provided along Clark Avenue and 14th Street. These streets are adequate in size to meet the requirements of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 29

NOTICES MAILED 243

APPROVALS 0

PROTESTS 0