

**AGENDA MEMO - PLANNING****PLANNING COMMISSION MEETING DATE: OCTOBER 11, 2011****DEPARTMENT: PLANNING****ITEM DESCRIPTION: APPLICANT: GREAT AMERICAN CAPITAL - OWNER: LONE MOUNTAIN PLAZA, LLC, ET AL**

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
MOD-42984	Staff recommends APPROVAL.	

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site, which is located within the Lone Mountain Master Plan area, consists of two parcels containing an existing 25,572 square-foot shopping center. The pad at the corner of Cheyenne Avenue and Hualapai Way is undeveloped. The Plan currently designates these parcels for NC (Neighborhood Commercial) uses, which imposes restrictions on the size and type of commercial development to ensure compatibility with neighboring residential development. The applicant is requesting to change this designation to VC (Village Commercial), which would allow for fewer restrictions for commercial development on the site. As the site qualifies for VC designation pursuant to the Lone Mountain Master Development Plan, there are few similarly zoned properties in the area, and the change in designation will not negatively impact adjacent land uses, staff recommends approval. If denied, the site would remain designated NC on the Lone Mountain Master Development Plan and commercial uses would continue to be restricted in size and type.

ISSUES

- A Major Modification of the Lone Mountain Master Development Plan is required to amend the land use designation of the subject properties from NC (Neighborhood Commercial) to VC (Village Commercial).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/23/97	The City Council approved a Rezoning (Z-0033-97) to PD (Planned Development) on the subject site as part of a larger request. The Lone Mountain Master Development Plan and Development Standards were included in this approval. The Planning Commission and staff recommended approval.
08/14/03	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request for a Major Modification (MOD-2356) of the Lone Mountain Master Development Plan to amend the land use designation from NC (Neighborhood Commercial) to VC (Village Commercial) on 3.99 acres at the northeast corner of Cheyenne Avenue and Hualapai Way.

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09/17/03	The City Council approved a Site Development Plan Review (SDR-2612) for a proposed 38,400 square-foot retail center and waivers of building landscape buffers and parking lot landscaping on 3.8 acres at the northeast corner of Cheyenne Avenue and Hualapai Way. The Planning Commission and staff recommended approval.
10/29/03	The City Council approved a Major Modification (MOD-2851) of the Lone Mountain Master Development Plan to amend the land use designation from NC (Neighborhood Commercial) to MLA (Medium-Low Attached Density Residential) on 6.26 acres at the southeast corner of Hualapai Way and Shiloh School Lane. The Planning Commission and staff recommended denial.
	The City Council approved a Site Development Plan Review (SDR-2853) for a proposed 71-lot single-family residential development on 6.26 acres at the southeast corner of Hualapai Way and Shiloh School Lane. The Planning Commission and staff recommended denial.
09/02/04	A two-lot Parcel Map (PMP-2506) on 8.88 acres located at the northeast corner of Cheyenne Avenue and Hualapai Way was recorded.
12/16/04	The Planning Commission approved a Tentative Map (TMP-5447) for a one-lot commercial subdivision on 4.00 acres at the northeast corner of Cheyenne Avenue and Hualapai Way. Staff recommended approval. A Final Map (FMP-6124) over this site was recorded 06/15/05.
03/16/05	The City Council approved a Major Modification (MOD-5854) of the Lone Mountain Master Development Plan to add "Dry Cleaners" as a permitted use in the NC (Neighborhood Commercial) and VC (Village Commercial) special land use designations. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
02/27/04	A deed was recorded for a change in ownership on APN 138-07-413-003.
04/20/09	A deed was recorded for a change in ownership on APN 138-07-413-002.

<i>Related Building Permits/Business Licenses</i>	
12/14/04	A building permit (#04021957) was issued for a building shell at 10010 West Cheyenne Avenue. A final inspection was completed on 04/25/06.
	A building permit (#04021953) was issued for a building shell at 10020 West Cheyenne Avenue. A final inspection was completed on 04/25/06.
	A building permit (#04021956) was issued for a building shell at 10030 West Cheyenne Avenue. A final inspection was completed on 04/12/06.
	A building permit (#04021955) was issued for a building shell at 10040 West Cheyenne Avenue. A final inspection was completed on 04/12/06.

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<i>Pre-Application Meeting</i>	
08/11/11	A pre-application meeting was held with the applicant, in which requirements for the submittal of a Major Modification of the Lone Mountain Master Development Plan were discussed. The applicant was informed that the Lone Mountain Master Plan requires plan modifications to be handled in a similar manner as General Plan Amendments, and therefore a neighborhood meeting would be required.

<i>Neighborhood Meeting</i>	
09/08/11	A neighborhood meeting was held at the Cheyenne and Hualapai Business Center at 10010 West Cheyenne Avenue, Suite 120. Three members of the public, three representing the applicant and three city staff members were in attendance. The following concerns were identified by the residents with regard to the proposed land use change: • No fast-food restaurants or drive-through lanes should be allowed. • No taverns should be allowed. • A gas station should not be permitted. • No 24-hour uses should be allowed. • No two-story buildings should be allowed. • Signage and lighting should not impact residents (particularly those living on the south side of Cheyenne). • Landscaping should be replaced and should assist in screening the commercial center from adjacent residential areas. The residents in attendance were in agreement that some type of a family restaurant would be permissible, but were adamantly opposed to fast-food restaurants. In addition, the residents requested that the applicant forward the list of proposed uses to them for review prior to the public hearing.

<i>Field Check</i>	
09/01/11	Staff conducted a field check of the subject site. The following observations were noted: • The existing retail center is well maintained. • The corner pad site is undeveloped and is fenced off from the existing retail center by chain link fencing in fair condition. The undeveloped portion contains some minor weeds and debris. • Existing retaining walls are located on portions of the north, south and west perimeters of the site.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.52

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Office, Other Than Listed	NC (Neighborhood Commercial)	PD (Planned Development)
	General Retail Store, Less than 3,500 SF		
	Restaurant, Less than 2,000 SF w/o drive-through		
	Dry Cleaners		
	Health Club		
	Post Office, Local		
North	Single Family, Detached	MLA (Medium-Low Attached Density)	PD (Planned Development)
South	Single Family, Detached	Single Family Residential (Sun City)	P-C (Planned Community)
East	Office, Other Than Listed	NC (Neighborhood Commercial)	PD (Planned Development)
West	Single Family, Detached	ML (Medium-Low Density)	PD (Planned Development)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Lone Mountain	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
PD (Planned Development) District	X		Y
Trails (Pedestrian Path)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Cheyenne Avenue	Primary Arterial	Master Plan of Streets and Highways	100	Y
Hualapai Way	Primary Arterial	Master Plan of Streets and Highways	100	Y

ANALYSIS

The Lone Mountain Master Development Plan restricts development on NC to five acre parcels or less and prohibits General Retail Store uses greater than 3,500 square feet and restaurants greater than 2,000 square feet (with or without drive through). Supper Clubs and Restaurants with Service Bars are permitted in NC, but Banquet Facilities, Taverns and any sale of alcohol for off-premise consumption are not permitted.

According to the Lone Mountain Master Development Plan, the VC designation “allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics.” VC is similar to the SC (Service Commercial) General Plan designation within the City of Las Vegas with regard to permitted uses, with few exceptions. Gaming is not permitted in either NC or VC. Assisted Care Facilities are not allowed in VC. Development is limited to 20-acre parcels and cannot exceed 0.3 FAR. The existing development is single-story and the approved lot coverage is approximately 23 percent, including the undeveloped corner pad. The Plan states that VC “should be confined to the intersections of major arterials and major freeways.” Cheyenne Avenue and Hualapai Way are both classified as Primary Arterials by the Master Plan of Streets and Highways. The nearest VC parcels are located at the northeast and northwest intersections of the Bruce Woodbury Beltway (CC 215) and Cheyenne Avenue. These are the only such designated parcels within the Lone Mountain Plan area.

The single family residential development to the north of the site was originally planned for NC and was amended to MLA (Medium Low Attached Density) shortly after approval of a retail center on the subject site. This development is adequately screened from the subject site. Offices designated NC are located to the east of the site, and single family homes with a ML (Medium Low Density) designation are located west of Hualapai Way. There would not be a clear view to proposed single-story development at the corner of Hualapai and Cheyenne from these homes, as a tall retaining wall shields the pad site. The existing single family residential development to the south of Cheyenne Boulevard is already sufficiently buffered by a perimeter wall and landscaping, in addition to the right-of-way.

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The lack of C-1 (Limited Commercial) zoned properties in the area bordering the Lone Mountain Plan indicates a need for Village Commercial-type uses. The site meets all criteria for VC designation. VC uses at the site would have little to no negative effect on the adjacent uses. The intensity of commercial uses under a VC designation would not increase over that of uses typically located at a similar intersection elsewhere in the city. Furthermore, the N-S District, which restricted uses in a similar way to the NC designation, has historically not been successfully implemented and is not included in the current version of Title 19. For these reasons, staff recommends approval of the proposed amendment of the land use designation from NC to VC on the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 295

APPROVALS 1

PROTESTS 2