



## AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: MAY 21, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: R I V LIVING TRUST

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### **\*\* STAFF RECOMMENDATION(S) \*\***

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>      | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|----------------------------|----------------------------------|
| <b>GPA-53013</b>       | Staff recommends APPROVAL. |                                  |
| <b>ZON-53014</b>       | Staff recommends APPROVAL. | GPA-53013                        |

**Staff Report Page One**  
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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a General Plan Amendment and Rezoning to amend a portion of the Southwest Sector of the General Plan (GPA-53013) from R (Rural Density Residential) to SC (Service Commercial) and to Rezone (ZON-53014) the site from R-E (Residence Estates) to C-1 (Limited Commercial). The subject site has a current land use designation of R (Rural Density Residential), is zoned R-E (Residence Estates) and is undeveloped. The proposed land use designation of SC (Service Commercial) and zoning of C-1 (Limited Commercial) would allow uses that are compatible with the existing surrounding land uses. Staff recommends approval. If denied, the site would remain as an undeveloped single-family residential use.

**ISSUES**

- The proposed amendment and rezoning are compatible with the existing adjacent RN (Rural Neighborhood) – Clark County designation and SC (Service Commercial) designations, as well as surrounding current uses. Staff supports these requests.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i></b> |                                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/15/90                                                                 | The City Council approved an Annexation (A-0008-90) for .50 acres located 330 feet west of Decatur Boulevard on the north side of Lake Mead Boulevard. Staff recommended approval. The effective date was 08/24/90.                                                                                                                                                     |
| 04/08/14                                                                 | The Planning Commission unanimously voted to recommend approval of a General Plan Amendment (GPA-53013) FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) and a Rezoning (ZON-53014) FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.43 acres on the north side of Lake Mead Boulevard, approximately 300 feet west of Decatur Boulevard. |

| <b><i>Most Recent Change of Ownership</i></b> |                                                |
|-----------------------------------------------|------------------------------------------------|
| 02/13/13                                      | A deed was recorded for a change in ownership. |

| <b><i>Related Building Permits/Business Licenses</i></b> |  |
|----------------------------------------------------------|--|
| There are no related permits or licenses on file.        |  |

| <b><i>Pre-Application Meeting</i></b> |                                                                                                                                                 |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| 02/10/14                              | Staff met with the owner and reviewed the General Plan Amendment and Rezoning process. There are no plans to development the site at this time. |

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| <b><i>Neighborhood Meeting</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/12/14                           | Meeting Start Time: 6:09 pm      Meeting End Time: 7:31 pm                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                                    | Attendance: 12 members of the public<br>2 members of the development team<br>1 member of the Council Office<br>1 member of Planning Department staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                    | The development team made a presentation indicating that this site was not able to be developed as a single family home as it only has access to a 100-foot Right-of-Way (Lake Mead Boulevard). The owner also owns the C-1 parcel to the east, which is developed as a dog boarding facility.                                                                                                                                                                                                                                                                                                                                                                                           |
|                                    | Concerns: <ul style="list-style-type: none"> <li>Some members of the public were concerned with intrusion of commercial up Lake Mead and how that would negatively impact their neighborhood.</li> <li>Some members agreed that a vacant lot was not the best use of land and supported limited commercial at the site.</li> <li>Concerns were raised about trash coming from the current commercial in the area blowing into the yards of the single family residential and that additional commercial would bring more trash.</li> <li>The tenants of the commercial to the east (dog boarding facility) indicated they might be interested in this location for expansion.</li> </ul> |

| <b><i>Field Check</i></b> |                                                                                             |
|---------------------------|---------------------------------------------------------------------------------------------|
| 02/27/14                  | Staff visited the site and found a vacant lot that was fenced and free of trash and debris. |

| <b><i>Details of Application Request</i></b> |      |
|----------------------------------------------|------|
| <b><i>Site Area</i></b>                      |      |
| Net Acres                                    | 0.43 |

**Staff Report Page Three**  
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| <b><i>Surrounding Property</i></b> | <b><i>Existing Land Use Per Title 19.12</i></b> | <b><i>Planned or Special Land Use Designation</i></b> | <b><i>Existing Zoning District</i></b>                |
|------------------------------------|-------------------------------------------------|-------------------------------------------------------|-------------------------------------------------------|
| Subject Property                   | Undeveloped                                     | R (Rural Density Residential)                         | R-E (Residence Estates)                               |
| North                              | Single Family, Detached                         | RN (Rural Neighborhood) Clark County                  | R-E (Rural Estates Residential District) Clark County |
| South                              | Shopping Center                                 | SC (Service Commercial)                               | C-1 (Limited Commercial)                              |
| East                               | Retail                                          | SC (Service Commercial)                               | C-1 (Limited Commercial)                              |
| West                               | Single Family, Detached                         | RN (Rural Neighborhood) Clark County                  | R-E (Rural Estates Residential District) Clark County |

| <b><i>Master Plan Areas</i></b>                                            | <b><i>Compliance</i></b> |
|----------------------------------------------------------------------------|--------------------------|
| No Applicable Master Plan Area                                             | N/A                      |
| <b><i>Special Purpose and Overlay Districts</i></b>                        | <b><i>Compliance</i></b> |
| A-O (Airport Overlay) District (70-Feet)                                   | Y                        |
| <b><i>Other Plans or Special Requirements</i></b>                          | <b><i>Compliance</i></b> |
| Trails                                                                     | N/A                      |
| Las Vegas Redevelopment Plan Area                                          | N/A                      |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A                      |
| Project of Regional Significance                                           | N/A                      |

## **ANALYSIS**

The subject site is located in the Southwest Sector of the General Plan and has a current General Plan designation of R (Rural Density Residential) and zoning of R-E (Residence Estates). This is a proposal to amend the General Plan designation to SC (Service Commercial) and Rezone to C-1 (Limited Commercial). The 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. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. 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 with a residential component where appropriate. The proposed Service Commercial General Plan designation is compatible with the existing surrounding residential and commercial uses.

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This parcel is located on a primary arterial street with a width of 100 feet and is less than 300 feet from the intersection of another primary arterial street. The properties located between this parcel and the intersections are all zoned C-1 (Limited Commercial). This parcel is unlikely to be developed as a single family residential property given the adjacent commercial development and the commercial development on the south side of the street. The best and most compatible use for the area would be for this property to be developed as a commercial property. Therefore, staff recommends approval of both the General Plan Amendment and the Rezoning applications.

**FINDINGS (GPA-53013)**

Section 19.16.030(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 amendment is compatible with the existing adjacent RN (Rural Neighborhood) – Clark County Designation and SC (Service Commercial) designations.

**2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The zoning designations allowed by the proposed amendment are compatible with the existing adjacent land use and zoning designations.

**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 site is accessed by Lake Mead Boulevard, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways.

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

All applicable plans and policies are met with the proposed amendment.

**FINDINGS (ZON-53014)**

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

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**1.The proposal conforms to the General Plan.**

The proposed C-1 (Limited Commercial) zoning district is consistent with the proposed SC (Service Commercial) General Plan designation on this site.

**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 uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning district.

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

The subject site is undeveloped and adjacent to commercial uses to the east and south and is unlikely to be developed for a residential use.

**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 is accessed by Lake Mead Boulevard, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**NOTICES MAILED**

427 (By City Clerk)

**APPROVALS**

1

**PROTESTS**

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