



WO 7647

May 12, 2014

City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

JUSTIFICATION LETTER FOR GENERAL PLAN AMENDMENT, REZONING AND SITE DEVELOPMENT PLAN REVIEW

On behalf of our client, Nick Azouz, VTN Nevada is pleased to submit the following applications:

1. General Plan Amendment from ML (Medium Low Density Residential) to SC (Service Commercial);
2. Rezoning request from R-E (Residence Estates) to C-1 (Limited Commercial);
3. Site Development Plan Review to develop the site with two retail buildings and one fast food restaurant with a drive through.

The site is 2.50 acres and is located at the northeast corner of Smoke Ranch Road and North Michael Way. The applicant is proposing to build two (2) new retail buildings and one (1) fast food restaurant with drive through service. One retail building is proposed to be 7,260 square feet and the one retail building is proposed to be 9,045 square feet and the fast food restaurant is proposed to be 2,203 square feet for a total of 18,508 square feet. The site has access from Smoke Ranch Road and from Michael Way. The site is required to provide 118 parking stalls; the site plan provides 119 parking stalls. The site provides two (2) loading zones as well as two (2) trash enclosures. The trash enclosures provide the code required decorative covers. The buildings front Smoke Ranch Road and will provide parking to the side and to the rear of the buildings.

The buildings have been designed to meet the residential adjacency requirements. Retail Pad B is located 74'10" from the north property line, the height of Retail Pad B is 22 feet therefore the retail building exceeds the residential adjacency requirements. Fast Food Restaurant Pad C is located 121'3" from the west property line, the height of Pad C is 22 feet therefore the retail building exceeds the residential adjacency requirements.

The site provides a 10 foot landscape buffer adjacent to the west property line and a 10 foot landscape buffer adjacent to the north property line, a 15 foot landscape buffer adjacent to Michael Way and a 15 foot landscape buffer adjacent to Smoke Ranch Road. All landscape buffers meet code requirements.

In reviewing a proposed General Plan Amendment the Development Code Section 19.16.030.3.b. states that the following information is to be provided.

Reasons for request:

The request to change the General Plan Land Use designation from residential to commercial is being made because the site is not a viable multi-family site as demonstrated by the lack of

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GPA-54270, ZON-54271 & SDR-54272

development. This area developed in the 1980's and 1990's but this parcel has remained vacant and undeveloped. The homes to the north and west of this site were built in 1980; the homes to the south and southeast were built in 1984 and 1986. The condominiums to the south were built in 1984 and the condominiums to the east were built in 1996. If this was a viable site for multi-family it would have been developed as the community developed but due to the lack of development it clearly is not a viable multi-family site.

Why proposed amendment works to promote the public health, safety and general welfare of the community.

The proposed amendment to Service Commercial Land Use designation will provide neighborhood commercial uses for the existing community. The closest neighborhood commercial uses are located at the corner of Smoke Ranch Road and Jones Blvd. which is approximately 2,000 feet from the site. There are also existing commercial uses at the corner of Smoke Ranch Road and Decatur Blvd. which is approximately 2,500 feet from the site. This proposed amendment will promote the general welfare of the community by providing more options for neighborhood commercial uses in the community.

- i. Whether there has been unanticipated growth and development of the community in the area surrounding the application site or growth and development not specifically considered when the General Plan was adopted;

This site is located within the Las Vegas 2020 Master Plan and Southwest Sector. There has been development in the area that was not anticipated when the General Plan was updated. This growth and development of the area has continued but has not included the subject parcel. It is our opinion that this parcel has not developed because it is not a viable multi-family parcel and is more appropriate as a neighborhood commercial parcel.

- ii. Whether the proposed amendment to the General Plan will allow a zoning classification which imposes burdens similar to the burdens imposed by the classification currently provided for under the General Plan.

The General Plan currently designates the parcel as ML (Medium Low Density Residential) the proposed designation of SC (Service Commercial) will impose similar burdens as the existing designation. The SC designation is designed to provide for neighborhood commercial uses which will benefit the local community by providing more choices and opportunities to purchase needed services and products. The intensity of the proposed SC designation is similar to the intensity allowed in the existing multi-family designation.

- iii. Whether the amendment to the General Plan continues to promote the objectives of the General Plan as designated in NRS 278.

The intent of the General Plan is to provide a broad and comprehensive level of policy direction for future land use decisions. NRS 278.230 states the master plan will serve as "a pattern and guide for that kind of orderly physical growth and development of the city or county which will cause the least amount of natural resources impairment and will conform to the adopted population plan, where required; and ensure an adequate supply of housing, including affordable housing; and a basis for the efficient expenditure of funds thereof relating to the elements of the master plan". The proposed amendment to the General Plan

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continues to promote the orderly physical growth and development of the city. The amendment will provide a benefit to the local community by providing more options for the residents to obtain needed services and products.

In reviewing a proposed Rezoning the Development Code Section 19.16.090.L. states that the following determination must be made to approve the request:

1. The proposal conforms to the General Plan.

Concurrently with this application an application to change the General Plan land use designation has been submitted. The proposed zoning will conform to the proposed General Plan land use designation of SC (Service Commercial).

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 rezoning of the site to C-1 will allow a variety of neighborhood commercial uses. The proposed commercial uses will be compatible with the adjacent residential uses due to the site design, buffer landscaping and the neighborhood commercial uses. The requested C-1 zoning will limit the types of commercial uses to uses that will be a benefit to the neighborhood and will provide the residents needed services and products.

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

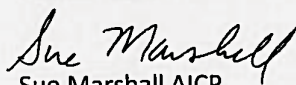
The community around this site developed in the 1980's and 1990's with single family homes and multi-family residences. The lack of development on this site clearly shows that the site is not appropriate for multi-family development and that it is more appropriate as a neighborhood commercial site.

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.

Smoke Ranch Road provides access to the site and it is a 100 foot right of way major thoroughfare street, Michael Way will provide secondary access and is an 80 foot wide secondary thoroughfare.

In conclusion we believe this proposed development will be a benefit to the local community by providing additional options for the residents to obtain needed services and products. The site is not viable as a multi-family site and it is more appropriate that this site be designated and developed as a neighborhood commercial parcel. Please contact this office at 702-873-7550 if you have any questions.

Respectfully submitted,
VTN Nevada


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Planner

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