



*City of Las Vegas*

Agenda Item No.: 81.

**AGENDA SUMMARY PAGE - PLANNING  
CITY COUNCIL MEETING OF: AUGUST 20, 2014**

**DEPARTMENT: PLANNING  
DIRECTOR: FLINN FAGG**

Consent  Discussion

**SUBJECT:** GPA-53013 ABEYANCE ITEM GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICATION OWNER: RICKI Y. BARLOW - For possible action on a request for a General Plan Amendment FROM: R (RURAL DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) address on the north side of Lake Mead Boulevard, approximately 300 feet west of Decatur Boulevard (APN 138-24-611-064), Ward 5 (Barlow) [PRJ-52911]. The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

Planning Commission Mtg.

City Council Meeting

City Council Meeting

**RECOMMENDATION:**

The Planning Commission (7-0 vote) and Staff recommend APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-53013 and ZON-53014 [PRJ-52911]
3. Supporting Documentation
4. Photos - GPA-53013 and ZON-53014 [PRJ-52911]
5. Justification Letter - GPA-53013 and ZON-53014 [PRJ-52911]
6. Protest/Support Postcards - GPA-53013 and ZON-53014 [PRJ-52911]
7. Backup Referenced from the April 8, 2014 Planning Commission Meeting

Motion made by RICKI Y. BARLOW to Approve and adding the following condition:

A. This approval shall be limited to the O (Office) Master Plan Land Use Designation.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

BOB COFFIN, RICKI Y. BARLOW, LOIS TARKANIAN, CAROLYN G. GOODMAN, STAVROS S. ANTHONY, STEVEN D. ROSS, BOB BEERS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 81 and 82.

JOHN VORNSAND, appeared on behalf of the applicant, and said that the Ivie family has owned this property for over 30 years. To the east of the property is a C-1 Zoned dog grooming and boarding business, and to the east of that at the intersection of Lake Mead Boulevard and

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Decatur Boulevard is a C-1 Zoned auto repair shop. To the south, across Lake Mead Boulevard, is an existing C-1 Zoned shopping center with a Food 4 Less and large fabric store. To the west and north of the property are single family residences located in Curtis Park Manor within the unincorporated County. This parcel is the last remaining residentially zoned parcel fronting Lake Mead Boulevard, with Lake Mead Boulevard as its only access. Lake Mead Boulevard is a 100 foot wide major thoroughfare carrying an average of 20,000 vehicles per day and to construct a new residence on this property would constitute poor planning practice. For many years, no entity within the valley has permitted new residential single family homes that front a major street. This has been a problem property for the owner with trespassing by vagrants, trash and illegal dumping occurring on a regular basis. The owner had to construct a chain link fence around the property to try to protect it, but illegal dumping still occurs and periodic cleanup of the property still has to be accomplished. There are no specific plans for the property at this time, but a prototype plan was prepared. A 2,000 square foot building could be constructed on the property with the code required parking, setbacks and landscaping, including intense landscape buffers to the north and west. If approved, the owner will be working with the neighbors regarding the development, design and architectural appearance of the building as well as the landscaping and they will come back before the Council with a Site Development Review (SDR) at a public hearing. MR. VORNSAND requested action on this item.

FLINN RAGG, Planning Director, said that there are commercial properties that abut residential neighborhoods and said that this is a parcel that has remained undeveloped for a long period of time. Staff recommended approval, however, there was much opposition at the Planning Commission meeting from a neighbor who lived to the west of the parcel. He confirmed for MAYOR GOODMAN that no additional restrictions had been added due to the residential abutting it on the north and west.

WILLIAM DOHME, Las Vegas resident, said that he lives next door to the vacant lot and commented that RHONDA IVIE owns both the space and the adjacent property which is the dog hotel. He feels that if this gets rezoned, there will be a big building on the property which would put an alleyway next to his property. He said that they had a neighborhood meeting and the neighbors had mentioned rezoning the property as professional or as office, which would create a better buffer between the existing C-1 property and the residential. He is concerned that his property value will be affected if a commercial building is allowed and is next to his property line. He pointed out that across the street, there are seven spaces available for rent and looking at Decatur Boulevard from Lake Mead Boulevard to Smoke Ranch Road, there are at least eight buildings for rent. MR. DOHME said that the residents would like this to stay residential.

ANTHONY HODGES, Las Vegas resident, said that when staff and the Planning Commission agree to approve, the City Council can make a pretty good decision.

COUNCILMAN BARLOW thanked the residents and the applicants for the neighborhood meetings and conversations. He said he has visited this corner several times to determine how this would best serve the community. There are residents to the north and west and this has been an undeveloped parcel for quite some time. There is no plan and he wonders if this will be

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placed for sale if C-1 zoning is approved. COUNCILMAN BARLOW said that he cannot support C-1 zoning today because the residents do not support it and there is no plan. The residents have told him that they would rather have nothing on the parcel and continue to clean it than have it zoned commercial. He said that he could support something closer to an office or civic zoning. The options are to move forward with a recommendation of denial, to table the item and work with the neighbors and the Planning Department to see if there is another plausible zoning option or to allow time to come back with a better development plan that the community can live with.

MR. VORNSAND said that they would prefer C-1 zoning, but would accept O-Office zoning if the Council can do so today; if that is not possible, the second choice would be to table the item and work with the neighbors.

MR. FAGG said that the "O" General Plan designation and the "O" zoning district would be the next less intense commercial category that would be appropriate for the site. The code does allow the Council to amend an application to a lesser designation, rather than having to file a new application. If that is what is desired, a motion would be made for approval of Item 81, noting that zoning change from R-Rural Density Residential to Office, and Item 82 would be amended from RE-Residence Estates to O-Office.

COUNCILMAN BARLOW understands the argument regarding Lake Mead Boulevard and the chances of residential growth on the site is slim. He is trying to create a balance where the neighbors will have protection from an Office zoning standpoint since they traditionally operate from 8:00 a.m. to 5:00 p.m., versus Office zoning which could operate 24 hours per day. He asked the neighbors to come forward and share their thoughts if they are opposed to that.

MR. VORNSAND said that they would accept the reduction to "O".

MR. DOHME said that a petition was submitted asking that the parcel remain residential, but if it cannot remain residential, they would rather have it as Office or Professional.

COUNCILMAN BARLOW said that when the applicant or future owner of the property come forward, there will still be an opportunity to work with the neighbors in regards to the landscaping.

MAYOR GOODMAN declared the Public Hearing closed for Items 81 and 82.