



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 12, 2014
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: AMY PAN - OWNER: SANTA GOLD REALTY, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
ZON-54561	Staff recommends DENIAL.	

**** CONDITIONS ****

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to rezone 0.44 acres comprised of two separate parcels from a P-R (Professional Office and Parking) zoning district to a C-1 (Limited Commercial) zoning district. Currently, the subject site is comprised of an undeveloped lot and a vacant commercial building. The applicant has indicated that the proposed C-1 (Limited Commercial) zoning district will help facilitate redevelopment and reinvestment at the subject property. Staff recommends denial, as the requested change to the C-1 (Limited Commercial) zoning district is too intense and intrusive for the surrounding properties, particularly the residentially zoned properties to the south and east. If denied, the property would remain zoned P-R (Professional Office and Parking).

ISSUES

- The C (Commercial) land use category allows four zoning districts: O (Office), P-O (Professional Office), C-1 (Limited Commercial) and C-2 (General Commercial).
- There are no proposed development plans submitted with this request at this time.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
07/03/68	The Board of City Commissioner approved a Variance (V-0014-68) to allow a business office use on property with a zoning designation of R-4 (Apartment Resident District) at 1706 Santa Paula Drive. The Board of Zoning Adjustment and staff recommended denial.
06/27/74	The Board of Zoning Adjustment approved a Variance (V-0038-74) to allow a beauty shop on property with a zoning designation of R-4 (Apartment Resident District) at 1704 Santa Paula Drive. Staff recommended denial.
05/21/75	The Board of City Commissioners approved a Rezoning (Z-0011-75) from R-4 (Apartment Resident District) to P-R (Professional Office and Parking) at 1704 -1712 Santa Paula Drive. The Planning Commission recommended approval. Staff recommended approval.
04/27/89	The Board of Zoning Adjustment approved a Variance (V-0028-89) to allow a commercial child care facility on property with a zoning designation of P-R (Professional Office and Parking), where such a use is not allowed at 1704-1712 Santa Paula Drive. Staff recommended approval.

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05/24/90	The Board of Zoning Adjustment approved an Extension of Time (V-0028-89) on an approved Variance (V-0028-89) which allowed a commercial child care facility use on property with a zoning designation of P-R (Professional Office and Parking) at 1704-1712 Santa Paula Drive. Staff recommended approval.
05/23/91	The Board of Zoning Adjustment approved an Extension of Time (V-0028-89) on an approved Variance (V-0028-89) which allowed a commercial child care facility use on property with a zoning designation of P-R (Professional Office and Parking) at 1704-1712 Santa Paula Drive. Staff recommended approval.
11/03/93	The City Council approved a Rezoning (Z-0087-93) from P-R (Professional Office and Parking) to R-4 (Apartment Resident District) at 1704 - 1712 Santa Paula Drive. Planning Commission recommended approval. Staff recommended approval. The Resolution of Intent was approved with a twelve month time limit. The entitlement expired on 11/04/94.

<i>Most Recent Change of Ownership</i>	
12/05/11	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
c. 1950	The existing building was constructed at 1704 Santa Paula Drive.
06/20/06	A building permit (#67833) was issued to demolish the existing duplex building at 1710 Santa Paula Drive. The permit received a final inspection on 10/05/06.
08/08/12	A code enforcement case (#118183) was issued for graffiti on the building at 1704 Santa Paula Drive. The case was resolved on 08/23/12.
09/04/12	A code enforcement case (#119146) was issued for graffiti on the building at 1704 Santa Paula Drive. The case was resolved on 09/18/12.
10/31/12	A code enforcement case (#121674) was issued for graffiti on the building at 1704 Santa Paula Drive. The case was resolved on 11/14/12.
05/29/13	A building permit (#236936) was issued for a wrought iron fence at 1704 Santa Paula Drive. The permit received a final inspection on 09/10/13.
05/29/13	A building permit (#236945) was issued for a wrought iron fence at 1710 Santa Paula Drive. The permit received a final inspection on 09/10/13.

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<i>Pre-Application Meeting</i>	
05/20/14	A pre-application meeting was held with the applicant to discuss the submittal requirements for a proposed Rezoning of the subject properties 0.44 acres from a P-R (Professional Office and Parking) zoning district to a C-1 (Limited Commercial) zoning district.

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<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this application, nor was one held.

<i>Field Check</i>
Staff conducted a field check of the subject property and noted a vacant building with graffiti, trash and weeds.

<i>Details of Application Request</i>
<i>Site Area</i>
Net Acres 0.44

<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	Vacant	C (Commercial)	P-R (Professional Office and Parking)
	Undeveloped		
North	Office, Other Than Listed	C (Commercial)	P-R (Professional Office and Parking)
	Office, Other Than Listed		
South	Vacant	C (Commercial)	R-4 (High Density Residential)
East	Multi-Family Residential	H (High Density Residential)	R-4 (High Density Residential)
	Office, Other Than Listed		
West	Auto Repair, Major	C (Commercial)	C-2 (General Commercial)
	General Retail		
	Office, Other Than Listed		

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Beverly Green / Southridge Neighborhood		X	N
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (200 feet)	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

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According to the provided justification letter, the applicant is requesting to rezone 0.44 acres comprised of two separate parcels from the P-R (Professional Office and Parking) zoning district to the C-1 (Limited Commercial) zoning district. One parcel of the subject site is undeveloped while the second parcel has a vacant building. The applicant has indicated that the proposed C-1 (Limited Commercial) zoning district will help facilitate redevelopment and reinvestment at the subject property.

The adjacent land uses consist of high density residential to the south and east, as well as office uses to the north. The proposed zoning district of C-1 (Limited Commercial) is too intense for the area. According to Title 19.08.070, the C-1 (Limited Commercial) zoning district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. The district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The subject site is not confined to a primary or secondary thoroughfare intersection, nor is it located along a major retail corridor. In fact, the surrounding area is predominantly residential.

The existing P-R (Professional Office and Parking) zoning district is designed to be a transitional zone to allow low intensity administrative and professional offices characterized by low volumes of direct daily client and customer contact. The goal of the district is to allow for office uses in an area which is predominantly residential. The office uses typically permitted in the P-R (Professional Office and Parking) zoning district require less parking and vehicle trips than the more intense uses allowed in the C-1 (Limited Commercial) zoning district. For these reasons, the existing P-R (Professional Office and Parking) zoning district is more appropriate, as it provides a better transition from the residentially zoned properties to the south and east. As such, staff recommends denial.

FINDINGS (ZON-53065)

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

1. The proposal conforms to the General Plan.

The existing Downtown Area Land Use General Plan designation of the subject site is C (Commercial), which allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial) and GC (General Commercial) General Plan land use categories. The proposed Rezoning to C-1 (Limited Commercial) is consistent with the current General Plan designation.

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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 in C-1 (Limited Commercial) zoning districts are too intense and would be incompatible with the adjacent R-4 (High Density Residential) zoning district located to the south and east of the subject site.

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

The subject site consists of an undeveloped parcel and a vacant building. Although the applicant is not proposing to develop the site at this time, future development would represent an infill commercial parcel primarily surrounded by existing residential development. It is more appropriate to develop the site as office uses or residential uses and allow the retail corridor along Las Vegas Boulevard and Oakey Boulevard to serve the existing residences surrounding the subject 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.

The property is located along Santa Paula Drive. Santa Paula Drive has been identified as a 51-foot wide Local Street by the Master Plan of Streets and Highways. At this time no development plans have been submitted showing any alterations to the existing site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

25

NOTICES MAILED

207

APPROVALS

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PROTESTS

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