



City of Las Vegas

Agenda Item No.: 30.

AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: JANUARY 10, 2017

DEPARTMENT: PLANNING
DIRECTOR: TOM PERRIGO

☐ Consent ☒ Discussion

SUBJECT: BEYANCA - GPA-66464 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: ALEXANDER ROBERT WHITE LIVING TRUST - For possible action on an request for a General Plan Amendment FROM: ML (MEDIUM LOW DENSITY RESIDENTIAL) TO S (SERVICE COMMERCIAL) on 1.83 acres at the northeast corner of Gowan Road and Las Vegas Drive (APN 138-09-201-020), Ward 4 (Anthony) [PRJ-66413]. Staff recommends DENIAL.

C.C.: 2/15/2017

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

100

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report - GPA-66464 and ZON-66465 [PRJ-66413]
3. Supporting Documentation - GPA-66464 and ZON-66465 [PRJ-66413]
4. Photo(s) - GPA-66464 and ZON-66465 [PRJ-66413]
5. Justification Letter - GPA-66464 and ZON-66465 [PRJ-66413]
6. Protest/Support Postcards, Letter/Emails and Comment Form for GPA-66464 and ZON-66465 [PRJ-66413], Protest Comment Form for GPA-66464, and Letter from Lynn Ratcliffe for GPA-66464, ZON-66465 [PRJ-66413], GPA-66474 and ZON-66475 [PRJ-66414]
7. Submitted at Meeting - Protest Petition with Approximately 77 Signatures by Suzanne DuBois for GPA-66464 and ZON-66465 [PRJ-66413] and GPA-66474 and ZON-66475 [PRJ-66414]

Motion made by GUS FLANGAS to Approve O (Office)

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

GUS FLANGAS, TODD L. MOODY, VICKI QUINN, TRINITY HAVEN SCHLOTTMAN, SAM CHERRY, GLENN TROWBRIDGE, CEDRIC CREAR; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR SCHLOTTMAN declared the Public Hearing open for Items 30-33.

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PETER LOWENSTEIN, Planning Section Manager, reported that the applicant has amended the general plan amendment request from SC (Service Commercial) to O (Office). With the subject site being located on a corner fronted by a major collector, Gowan Road and Durango Drive, a primary arterial, staff finds the proposed Office general plan designation to be appropriate as the O category provides for small lot offices. Staff recommended approval of the requests. The applicant has also amended the original rezoning application request from C-1 (Limited Commercial) to O. While the O zoning district does not permit intense uses like the previously proposed C-1 zoning district did, Office still permits land uses that are too intense adjacent to existing residential uses. Staff finds the allowable uses to be incompatible for residential adjacency and recommended denial of the rezoning request. A more appropriate zoning district for the subject site would be P-O (Professional Office), which is intended to allow for office uses in an area predominantly residential, but because of traffic and other factors, is no longer suitable for the continuation of low-density residential uses. The P-O zoning district is designed to be a transitional zone to allow low-intensity administrative and professional offices that typically have a low volume of direct daily client and/or customer contact.

LINDA PEARSON appeared on behalf of the applicants and stated she appreciates the hard work of staff to try to build something on this vacant property. The owners are trying to develop it. Residents do not want anything but residential, but the best use is not residential. The owners purchased the five-acre property and divided it into 2.5-acre parcels. Recently, the owners were assessed over \$175,000 for improvements to enhance the area. The owner is trying to make this property marketable and sellable, but there is no market for residential. Everyone agreed that C-1 is too intense for the community, but she agreed to the O designation because it would not only be marketable but also would benefit the neighborhood. Possible uses such as a medical/dental office, small shopping plaza with a title or insurance company could be beneficial uses for area residents. She disagreed with staff about the denial of O designation but appreciates the general plan being amended, and she asked the Planning Commission to reconsider. Obviously, P-O zoning would be better than a vacant lot, which is a haven for illegal dumping, and although the property was bermed, the illegal dumping still goes on. The next step would be to install a fence around the perimeter of the property, but that would not be an enhancement for the neighborhood.

SUSANNE DuBOIS submitted a petition by the Mira Vista community opposing residential to commercial rezoning, the residents prefer residential not a vacant lot.

FRANK TAMMEN stated the property has been vacant and the owners could have sold it at any time. Across the street there is a jungle gym and the YMCA day-care frequented by many children. There have been accidents on that corner and plenty of residences are being built, but the owners are simply looking for top dollars. The residents do not want an office building.

CHRISTINE STANISH owns property on a quiet, safe neighborhood and opposes businesses next door. Her property is medium-low residential zoning and now the applicant wants to change it to something other than residential. She understands the owner has the right to sell the property but the zoning should not be changed in this area.

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MARY MARSHALL felt that there has been a switch up from the previous meeting, which many residents attended and where it was decided to postpone the discussion so that the applicant could find a lower-impact zoning classification. The residents were informed that they would be notified if that happened and that a neighborhood meeting would be scheduled to discuss any changes. Staff's report does not make any reference to P-O and the recommendation is different. TOM PERRIGO, Planning Director, explained that when an application changes to a less intense zoning than publicly noticed, the item can be considered by the Planning Commission under the original notification for more intense zoning. MR. LOWENSTEIN added that staff received a letter from MS. PEARSON dated 12/7/2016 requesting the zone change to O. MR. PERRIGO further explained that since this was an advance item, the subject line remains the same. MS. MARSHALL stated that residents directly impacted did not have an opportunity to understand that change, and it may be the reason why more residents were not in attendance.

CHARLES MCCULLY asked that the Planning Commission deny the requests for the reasons mentioned by the previous speakers.

COMMISSIONER FRANGAS pointed out that the Planning Commission's responsibility is to balance good planning with some of the wishes of residents. Realistically, this will never be developed for residential use, especially with a nearby commercial arterial like Durango Drive. What is being asked is probably one of the best buffers, and he agreed with staff that the general plan amendment to O is an appropriate use. For the rezoning, he recommended P-O because a bank or a school is not needed in that corner.

CHAIR SCHLOTTMAN declared the Public Hearing closed for Items 30-33.