



AGENDA MEMO - PLANNING

SPECIAL PLANNING COMMISSION MEETING DATE: AUGUST 2, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: FF SERIES HOLDINGS, LLC AND ELAINA V. FILOSI FAMILY TRUST

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-64835	Staff recommends DENIAL.	
ZON-64836	Staff recommends DENIAL.	GPA-64835

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 151

APPROVALS 0

PROTESTS 5

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to amend the General Plan designation for three contiguous lots adjacent to Starlight Drive for a total of 1.39 acres. The current General Plan designation of these three lots is R (Rural Density Residential), with the northern lot (125-27-610-022) being part of the Rural Preservation Overlay District. The applicant is requesting to amend these parcels from R (Rural Density Residential) to O (Office).

In addition to the General Plan Amendment, the applicant has also requested to rezone the subject sites from U (Undeveloped) [R (Rural Density Residential)] to O (Office).

ANALYSIS

In March of 2008, General Plan Amendment (GPA-26004) and Rezoning (ZON-26006) was approved for ten parcels directly adjacent to Tenaya Way. Parcel one (125-27-610-001) located on the southeast corner of Tenaya Way and Azure Drive, in addition to the nine sequential parcels (125-27-610-002 through 010) south of parcel one were amended to the O (Office) General Plan designation and rezoned to O (Office) to create a buffer for the existing single family residences and the remaining residentially zoned properties located east of these parcels from the increasing traffic on Tenaya Way and more intense commercial uses located on the west side of Tenaya Way by creating this Office corridor. The approval of this General Plan Amendment and associated Rezoning applications would allow for commercial uses to no longer act as an appropriate buffer to the residents, but to encroach into and disturb the existing residences. For this reason, staff is recommending denial of both applications.

If approved, uses such as Business Schools; Employment Agencies; and Financial Institution, General (i.e. Banks) would be permitted in the O (Office) zone.

FINDINGS (GPA-64835)

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 O (Office) General Plan Designation would not be compatible with the existing single-family residential uses located adjacent to and near the subject sites.

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

Amending the General Plan for the subject site from R (Rural Density Residential) to O (Office) would not be an appropriate land use designation as this would allow for the encroachment of commercial uses into the existing residential neighborhood.

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

Starlight Drive is a local street designed to carry a combination of light commercial and residential traffic between minor collectors, major collectors, and primary arterials. Starlight Drive may be adequate to handle land uses and densities permitted in the O (Office) General Plan Designation.

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

The subject sites are three undeveloped lots directly adjacent to single family residences. While developing these lots would be in support of the City's policies, it only supports City policy when such development is compatible with the surrounding area.

FINDINGS (ZON-64836)

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.

If approved, the proposed O (Office) zoning district would conform to the proposed O (Office) General Plan Designation.

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 the proposed O (Office) zoning district would not be appropriate for integration with the existing and planned residential uses.

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

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The subject site is directly adjacent to single family residential, it would be more appropriate to develop the subject site in accordance with the current General Plan designation for residential and allow the Office corridor already established along Tenaya Way to serve the area residents commercial needs.

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.

Starlight Drive is a local street designed to carry a combination of light commercial and residential traffic between minor collectors, major collectors, and primary arterials. Starlight Drive may be adequate to handle land uses and densities permitted in the O (Office) General Plan Designation.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/05/07	The City Council approved a Petition to Annex property generally located south of Azure Drive, between Tenaya Way and Starlight Drive. The annexation was effective on 09/14/07.
07/12/16	Due to a notification error this item was not acted upon as a part of the 07/12/16 Planning Commission meeting and has been scheduled for a Special Planning Commission meeting date.

<i>Most Recent Change of Ownership</i>	
12/01/08	A deed was recorded for a change in ownership for parcel numbers 125-27-610-020 and 021.
09/22/15	A deed was recorded for a change in ownership for parcel number 125-27-610-022.

<i>Related Building Permits/Business Licenses</i>	
There are no relevant building permits for the subject parcels.	

<i>Pre-Application Meeting</i>	
05/24/16	Staff conducted a pre-application conference where the submittal requirements for a General Plan Amendment and Rezoning were discussed via email and telephone conference.

<i>Neighborhood Meeting</i>	
06/29/16	A neighborhood meeting was held on June 29, 2016 at 6:30 p.m. at the Centennial Hills YMCA located at 6601 North Buffalo Drive. Meeting Start Time: 6:30 p.m. Meeting End Time: 8:15 p.m.

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<i>Neighborhood Meeting</i>	
06/29/16	Attendance: 6 Representatives for the Applicant/Owner 1 Representative from the Planning Department 1 Representative from Mayor Pro Tem Ross' Office Approximately 12 Members of the public (neighbors) were in attendance. The owner/applicant and his Architect presented some conceptual drawings that included a possible site plan and interior elevations of a Memory Care facility for Alzheimer's and Dementia patients to be built on the subject site. They also presented a brief video that provided the neighbors with a glimpse of how an existing facility they currently operate looks and feels. The drawings demonstrated a single-story facility with 90 beds designed in "pods" to provide a home-like setting for the patients. The facility would be "secured" to prevent patients from wandering off. Concerns: • The neighbors do not want zoning to change along Starlight Drive, want it to remain residential. • Since the memory care could be built in the R-E (Residence Estates) zone with a Special Use Permit as well, is there an option of zoning the property along Tenaya Way to R-E (Residence Estates) instead of rezoning the properties to O (Office) along Starlight Drive? • The neighbors want to maintain their rural lifestyle and do not want sidewalks, streetlights, etc. They do not feel the proposed memory care has a "rural" feel like their homes and that it would not "fit-in" with the neighborhood. • They are also concerned about lighting, would prefer no lighting. • The neighbors are afraid by allowing for this development to occur that it will set precedence in the residential neighborhood for high density development, they feel the proposed memory care is too dense and requested that if it is going to be built to at least reduce the number of beds, widen the setbacks, provide walls, and denser landscaping. • There was also concern about increased traffic in the area, where would the employees park, etc. Would there be access to the site off of Starlight Drive? • Concern was also raised about property values. Neighbors feel by surrounding their residential properties with commercial, their home values will drop and they will not be able to sell them at any price.

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<i>Neighborhood Meeting</i>	
06/29/16	The neighbors in attendance were opposed to the proposed General Plan Amendment and Zone change, and the conceptual memory care development presented. A few expressed interest in working with the applicant on design elements (reduced number of beds, increased landscaping buffer, increased wall height, low-level lighting, etc.) to aid in the facility blending in with the neighborhood if it was going to be built, but would prefer it to be not built at all.

<i>Field Check</i>	
06/02/16	Staff performed a routine field check where three vacant, undeveloped lots were observed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.39

<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	Undeveloped	R (Rural Density Residential)	U (Undeveloped)[R (Rural Density Residential)]
North	Detached Single Family Residence	RL (Residential Low) Clark County	R-E [Rural Estates Residential (2 Units per Acre)] Clark County
South	Detached Single Family Residence	RL (Residential Low) Clark County	R-E [Rural Estates Residential (2 Units per Acre)] Clark County
East	Undeveloped	RL (Residential Low) Clark County	R-E [Rural Estates Residential (2 Units per Acre)] Clark County
West	Undeveloped	O (Office)	O (Office)

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

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Starlight Drive	Local Street	Title 13	35	Y