

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT RELATED TO ZON-3672 AND SDR-3958 - PUBLIC HEARING - GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: L (Low Density Residential) TO: M (Medium Density Residential) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

C.C. 06/16/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – ABEYANCE to 5/27/2004 Planning Commission meeting – UNANIMOUS

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 25 [GPA-3670], Item 26 [ZON-3672] and Item 27 [SDR-3958].

STEVE SWANTON, Planning and Development Department, indicated that two factors contributed to staff's recommendation of denial on all three applications. There is an existing house on the parcel, but it will be removed if the applications are approved. Using a video, MR. SWANTON explained that the area has smaller lots that are still zoned R-E. It has a maximum density of 5.5 units per acre. There are Low Density Residential in the General Plan. The other

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 25 – GPA-3670

MINUTES – Continued:

C factor is that the northern most parcel of the three parcels being requested belongs to a rural preservation neighborhood. The Nevada Revised Statute limits the density within these areas to a maximum of two units per acre. The balance of the site lies within the RPN buffer, which is three units per acre maximum density. Changing the General Plan in this area to allow the density of up to 25 units would be inconsistent with State law. Once the house is demolished, the RPN status is removed and the property can be fully located within the buffer zone, which is still limited to three units per acre. However, the Commission has the discretion to approve something of a higher density, according to the State Statute. Staff does not believe that a change to a classification permitting the increase to the density up to 25 units is a desirable transition to the single-family homes. Therefore, staff recommended denial on the General Plan Amendment. A neighborhood meeting was required for this item and four people attended. Their primary concerns were whether a resident manager would on site and the kind of landscaping that would be provided on the site.

Regarding the rezoning request, MR. SWANTON stated that staff would discourage having a development with a density of 22 units per acre to be built on the site. The Planning Commission must determine the appropriateness of the rezoning in light of growth and development factors. There are other suitable locations in the City for this project. In addition, there is no access from a major street. Effinger Lane is 60 feet wide, which is the best access to the property, and this access will be shared with the single-family homes located to the east. Therefore, staff recommended denial on the rezoning.

C Regarding the Site Development Plan Review, this is a multi-family apartment complex with a density of 24 units an acre, consisting of 21-bedroom and 32-bedroom units distributed among two-story buildings. The development meets parking standards, but staff has issues with the front setback and the trash enclosures because they do not meet the code, and it does not meet the Residential Adjacency Standards from the protected R-E property to the north. This would require that the buildings be set back approximately 75 feet from the R-E property line. MR. SWANTON noted that the applicant stated that revisions would be made to this plan, however staff has not seen those revisions. The landscaping is adequate as shown, except on the west property line a waiver is required for the lack of perimeter buffer landscaping. The rest of the landscaping on the site meets or exceeds the code requirements. Because of the issues with the density and the low-density areas to the east, staff recommended denial of the Site Plan. MR. SWANTON recommended that the Site Plan be held in abeyance for 30 days in order for the applicant to meet with staff regarding the residential adjacency issues and other issues that have not been resolved. A letter was received raising design issues, but the site plan addressed those issues and are acceptable from a code standpoint.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 25 – GPA-3670

MINUTES – Continued:

RICH HECKENDORF and SHARON TYNER-SABRAW and MARK SABRAW, Greater Nevada Planning, 657 Glenwood, Henderson, appeared on behalf of the applicant. MR. HECKENDORF stated that there is an abandoned house on the site, surrounded by duplex apartments to the west, a senior citizen complex to the south, and immediately to the north are two elementary schools. The house has been abandoned for a long time and in keeping with the guidelines of the City Council with regards to abandoned buildings, he is trying to redevelop this site. The best use for this land is to build apartments. He concurred with staff conditions. He requested that access be off of Lily Lane. As far as the 75-foot setback on the property to the north, he understands that a church was to be built there. They have tried to purchase that property, but were told that the intention is to still build a church. He believes the church is compatible with what exists.

MS. SABRAW stated that the biggest issue is the Rural Preservation designation. She referred to Senate Bill 244 where it states “it can be reviewed periodically authorizing a governing body to revoke that designation. Providing other matters properly relating thereto.” The property is completely surrounded by commercial properties and there is only one residence. She pointed out that students from the adjacent elementary schools might go into the abandoned property. She requested that the Commission approve the beautiful project and concurred with all conditions.

MR. SABRAW did not oppose holding the Site Development Review and suggested that it be held for 60 days for the opportunity to find out if it is a viable situation after the City Council considers the General Plan Amendment and the zone change. He pointed out that they have had three pre-application meetings on the same project and it seems that different issues arise. He was surprised at staff's recommendation for denial. He believes that this would be a good addition to this particular piece of property.

COMMISSIONER EVANS asked DEPUTY CITY ATTORNEY BRYAN SCOTT to clarify NRS 278 and the Commission's ability to waive that portion that is within the Rural Preservation Neighborhood. DEPUTY CITY ATTORNEY SCOTT replied that in the buffer area of the Rural Preservation Neighborhood, the Commission has the ability to zone it higher than three units per acre, if there is good cause to do so. Within the RPN itself it is regulated to two units per acre and there is no waiver of that provision. The buffer area is considered to be outside of the RPN and the Commission has the discretion to approve three units and above, if there is good cause to go above the three units per acre.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
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MINUTES – Continued:

C COMMISSIONER EVANS further asked for clarification on the inference that the RPN can be eliminated if certain conditions are met. DEPUTY CITY ATTORNEY BRYAN SCOTT replied that he was not certain if particular areas have been designated on the master plan as rural preservation. MR. CLAPSADDLE added that there are areas in the City, given the interlocal agreement with the County that are designated RPN, which is strictly two units per acre and that cannot be amended for the life of the agreement. In this instance the issue is the RPN buffer law and the only thing that makes this in the buffer is that there is a house on the parcel. If that house is demolished it would no longer be in the buffer area. He pointed out that areas from Lily Lane, down to Poppy Lane and McNight Street is low density, which allows more than three units per acre. The area surrounding it to the east, south and west are designated M. Therefore, staff objects because the applicant has not met the burden for a plan amendment. The applicant is responsible to present to the Commission the reason why the piece surrounded by low to the north and east cannot be developed as low residential density.

DEPUTY CITY ATTORNEY SCOTT commented that the abandoned home constitutes part of the Rural Preservation Neighborhood and if that house is demolished the RPN would still exist within the buffer.

C COMMISSIONER McSWAIN referred to a letter submitted by MS. SABRAW referring to the Rural Preservation Neighborhood being reviewed periodically authorizing a governing body to revoke the designation of an area. She asked what governing body would authorize such a review. DEPUTY CITY ATTORNEY SCOTT replied that it would be the City Council. He recalled a time when the County was looking to designate certain areas as Rural Preservation Neighborhoods on their Master Plan Map, but the City has not gone through that procedure yet. He is not certain if that is taken on a case-by-case basis to determine that a Rural Preservation Neighborhood exists.

CHAIRMAN TRUESDELL asked that if this property falls within the RPN, would it not be appropriate for the applicant to hold the application, remove the residence and then come back and present this so there would not be any ambiguities. MR. SABRAW responded that staff made no indication that the building needed to be removed. If they had, the building would have been demolished. It would make sense if the Commission made this a condition and allow the applications to go through. CHAIRMAN TRUESDELL rebutted that the Planning Commission does not have the ability to change State law. MR. SABRAW asked for the opportunity to meet with staff to go over all the details pertaining to all items, and asked that the applications be held in abeyance.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
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Item 25 – GPA-3670

MINUTES – Continued:

COMMISSIONER McSWAIN commented that the Planning Commission is only a recommending board and asked that the item be heard. While she believes the applicant has a reasonable case, she has concerns about the amount of density being requested. She is also concerned about the evolution of this entire area, including the medium density on the opposite side. She would not want the applicant to meet with staff, demolish the property, come back and still have issues with the density abutting what is going to be a low density designated area.

TODD FARLOW, 240 North 19th Street, expressed concern about the high density adjacent to R-1. The new condominiums built in his neighborhood have been a nightmare for the past 25 years. The same will happen at this location. Secondly, Ward 3 has the highest density of any other ward. Cluster homes would work better. The Planning Commission should set an example of what should be built at this location.

TOM McGOWAN, Las Vegas resident, stated that none of the issues are cut and dry. The Planning Commission should take the initiative to make a positive recommendation to the Council. There is nothing prohibitive about this project.

CHAIRMAN TRUESDELL remarked that similar items have come before the Planning Commission and the Board gets caught up in the interpretation of the RPN and the buffer and lose sight of what a good project this could be. He would like to resolve the RPN issue and then focus on the actual development. For this reason, the item should be held in abeyance. DEPUTY CITY ATTORNEY SCOTT clarified for the record that, even if the house is demolished, they will still be in the buffer and only allowed to do three units per acre, unless they come back with just cause to have the 25 per unit acre development. MR. SABRAW replied that it would be their intention to show that, and was amenable to the abeyance.

COMMISSIONER EVANS asked if would be appropriate to table the items. ROBERT GENZER, Director, Planning and Development Department, replied that he would prefer to set a specific date to avoid renotification.

COMMISSIONER STEINMAN commented that he visited the site and it makes sense to clean up this particular area and so the development would have less density. He encouraged staff to work with the applicant. COMMISSIONER EVANS pointed out that there was a good purpose for the creation of the Statute and possibly many municipalities were not adhering to that law. With regards to this particular application, he has issues with the density. DEPUTY CITY ATTORNEY SCOTT advised that the Commission could use those justifications as the just cause to get it over the three units per acre.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 25 – GPA-3760

MINUTES – Continued:

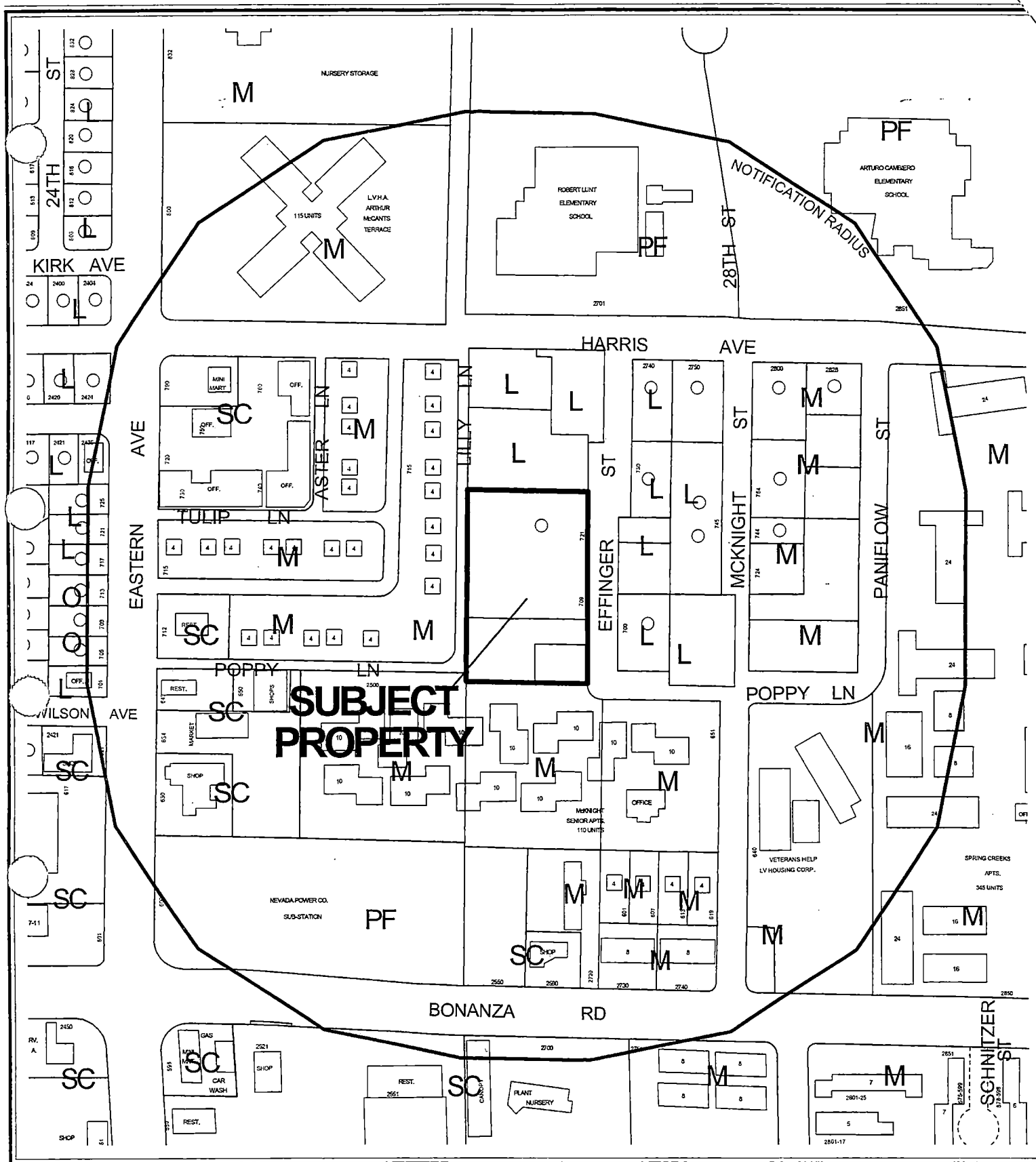
COMMISSIONER McSWAIN pointed out that she would support the 45-day abeyance request.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 25 [GPA-3670], Item 26 [ZON-3672] and Item 27 [SDR-3958].

NOTE: All discussion for Item 25 [GPA-3670], Item 26 [ZON-3672] and Item 27 [SDR-3958] was held under Item 25 [GPA-3670].

(6:40 – 7:14)

1-1464



CASE: GPA-3670

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS -

OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

DDS

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at the northwest corner of Effinger Lane and Poppy Lane from L (Low Density Residential) to M (Medium Density Residential). A rezoning application (ZON-3672) and a site plan (SDR-3958) accompany this application.

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for L (Low Density Residential) land uses with a maximum density of six dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.
- 08/18/99 The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre and Medium Density Residential up to 25 dwelling units per acre.
- 09/06/99 The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.
- 10/01/03 The City Council approved an update of the Southeast Sector Map (GPA-2497) of the city of Las Vegas General Plan. On this map, the subject properties were designated for L (Low Density Residential) land uses, with a maximum density of 5.5 dwelling units per acre.

DETAILS OF APPLICATION REQUEST

Site Area: 2.09 Acres

EXISTING LAND USE

Subject Property	Single family residential and vacant
North	Single family residential
South	Multi-family residential
East	Across Effinger Lane, single family residential
West	Across Lilly Lane, duplex residential

PLANNED LAND USE

Subject Property	L (Low Density Residential)
North	L (Low Density Residential)
South	M (Medium Density Residential)
East	Across Effinger Lane, L (Low Density Residential)
West	Across Lilly Lane, M (Medium Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates)
North	R-E (Residence Estates)
South	R-3 (Medium Density Residential)
East	Across Effinger Lane, R-E (Residence Estates)
West	Across Lilly Lane, R-3 (Medium Density Residential)

DEFINITIONS

L (Low Density Residential)

(3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

M (Medium Residential)

(12.1 to 25 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

RPN (Rural Preservation Neighborhood)

An area identified by Chapter 278 of the Nevada Revised Statutes where residential development density is limited to two dwelling units per acre.

RPN (Rural Preservation Neighborhood) Buffer

A 330-foot transitional buffer for a Rural Preservation Neighborhood identified by Chapter 278 of the Nevada Revised Statutes. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

ISSUES

INTERAGENCY

None

RURAL PRESERVATION NEIGHBORHOOD

A portion of the site is located within an area identified as a Rural Preservation Neighborhood. Chapter 278 of the Nevada Revised Statutes stipulates the conditions under which lands are identified as Rural Preservation Neighborhoods. Within these Rural Preservation Neighborhoods, residential development density is limited to two dwelling units per acre.

RURAL PRESERVATION NEIGHBORHOOD BUFFER

Another portion of the site is within an area identified as a buffer for a Rural Preservation Neighborhood. Chapter 278 of the Nevada Revised Statutes stipulates the identification of a 330-foot transitional buffer around Rural Preservation Neighborhoods. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

ANALYSIS

The Southeast Sector Plan designates the subject area and the larger area around it to the north and east for single-family residences at no more than 5.5 dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it is classified.

The applicant submitted a letter with the application, stating: "The land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service." To the contrary, the land use application is inconsistent with the General Plan and the provisions for Rural Preservation Neighborhoods (RPN's). The General Plan allows only 5.5 dwelling units per acre and the more restrictive standards of the RPN permit no more than two dwelling units per acre and three dwelling units per acre in RPN Buffers. A land use classification of M that permits up to 25 dwelling units per acre is not a desirable transition to existing single-family dwellings.

Part of the subject property is located within the RPN. The Nevada Revised Statutes specifically states, "...the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved." Consequently, for this part, the property may not be redesignated to another classification. Part of the subject property is also located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**. Unlike the RPN, the RPN Buffer area may be reclassified when it can be demonstrated that there is good cause for doing so. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. The staff could not find good cause for varying from the provisions of this law

FINDINGS

Title 19.18.030.I 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;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

In regard to the first condition, the density of the proposed General Plan Amendment is not compatible with the existing adjacent land uses. A density of up to 25 dwelling units per acre is extreme compared to densities of two and three dwelling units per acre permitted within the adjacent areas.

Because the zones permitted within an M classification permit a density of development of up to 25 dwelling units per acre, compatibility is an issue as it is for the first condition.

As to the third condition, access is limited. The property does not have direct access to a major street. Effinger Lane, a local street, would provide the best access, but it would be shared with single-family dwellings. The property is within 1½ miles of a fire station at 633 N. Mojave Road and within a mile of the Northeast Command Metro substation at Mojave Road and Washington Avenue.

In regard to the fourth condition, objectives and policies applicable to the subject area are addressed in the *City of Las Vegas Master Plan 2020*. The subject property is specifically located in the "Neighborhood Revitalization Area." Objective 2.4 (page 45) states: "To ensure that the quality of existing residential neighborhoods within the City of Las Vegas is maintained and enhanced." For the reasons stated in the Analysis section above, it is the staff's opinion that the subject request is contrary to this objective.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/04/04 A neighborhood meeting sponsored by the applicant was held at the Las Vegas Library. Four people attended the meeting. Two of the four represented the owner of a senior complex to the south, and the other two were not residents but were relatives of a nearby property owner. Concerns included the following:

- Whether there would be a resident manager on site.
- What trees and landscaping would be provided

NOTICES MAILED: 57 (Mailed with ZON-3672 and SDR-3958)

APPROVALS: 0

PROTESTS: 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-367D APN: 139-25-410-007

Name of Property Owner: JANET + STEVE WILSON

Name of Applicant: JANET + STEVE WILSON

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

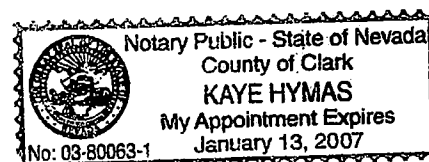
Signature of Property Owner/Authorized Agent: _____

Print Name: Terry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Name of Applicant: AARON WALLACE

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s):

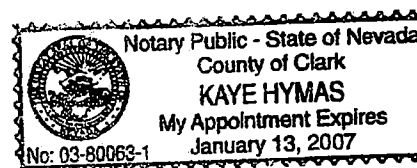
APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Yerrel Quintz

Subscribed and sworn before me

This 5 day of January, 2004
Loise Thomas
 Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Name of Applicant: AARON WALLACE

Yes ☒ No

APN: _____

Print Name: Perry Dietz

Notary Public in and for said County and State



State of Nevada)
County of Clark) ss

**KNOW YE ALL MEN BY THESE PRESENTS,
That We, Janet D. & Steve G. Wilson
Address: P. O. Box 462-Station M 9th Ave SW
City: Calgary Alberta
County: Calgary Alberta
State: Canada**

Do hereby make, constitute and appoint Terry Dietz of:
Address: 2984 E. Russell Rd.
City: Henderson, NV 89014
County: Clark
State: Nevada
Phone No.: 434-4500

As our true and lawful attorney-in-fact, for us and in our name, place and stead to complete whatever actions necessary to fulfill all requirements.

We further give and grant to said attorney-in-fact full power and authority to do and perform every act necessary and proper to be done in the exercise of any of the foregoing powers as fully as we might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do, or cause to be done by virtue hereof.

This instrument may not be changed orally.

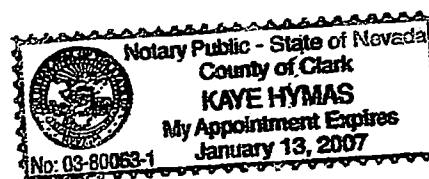
In witness whereof, I have hereunto set my hand and seal this

5 day of Jan, 2004.

Signature Steve H. Wilson

Subscribed and sworn before me

This 5 day of January, 2004
Rene Hyman
 Notary Public in and for said County and State



State of Nevada)
County of Clark) ss

Do hereby make, constitute and appoint Terry Dietz of:

As my true and lawful attorney-in-fact, for me and in my name,
place and stead to complete whatever actions necessary to fulfill
all requirements.

This instrument may not be changed orally.

In witness whereof, I have hereunto set my hand and seal this 12 day of Feb, 2004.

CERTIFICATE OF NOTARY
State of Nevada)

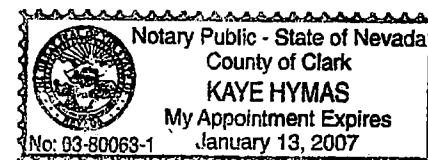
County of Clark) ss

On this 12 day of Feb., in the year 1999, before me personally came and appeared Haron Wallace known and known to me, to be the individual described in and who executed the foregoing Instrument, and who duly acknowledged to me that he executed same for the purpose therein contained.

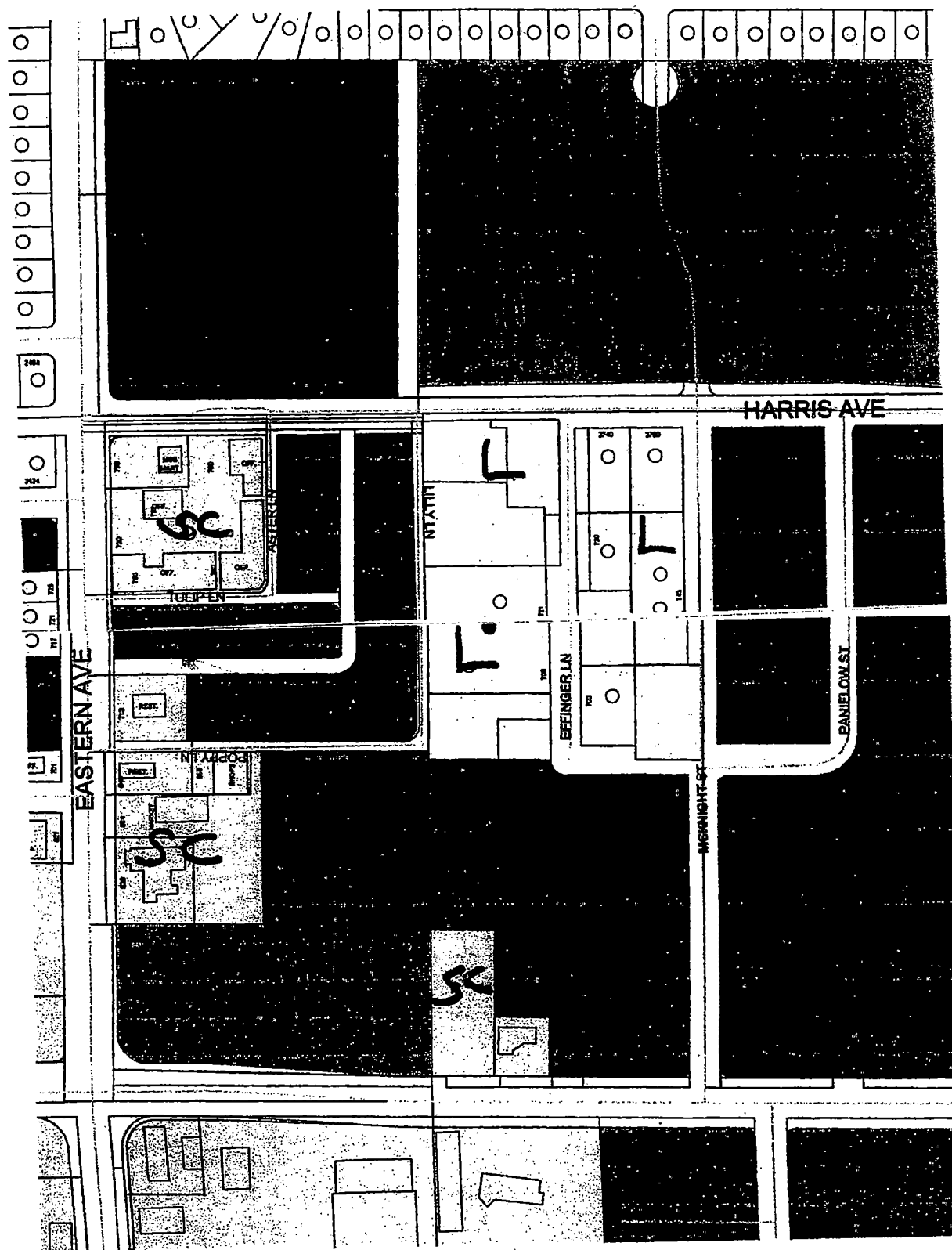
In witness whereof, I hereunto set my hand and official seal.

Notary Public

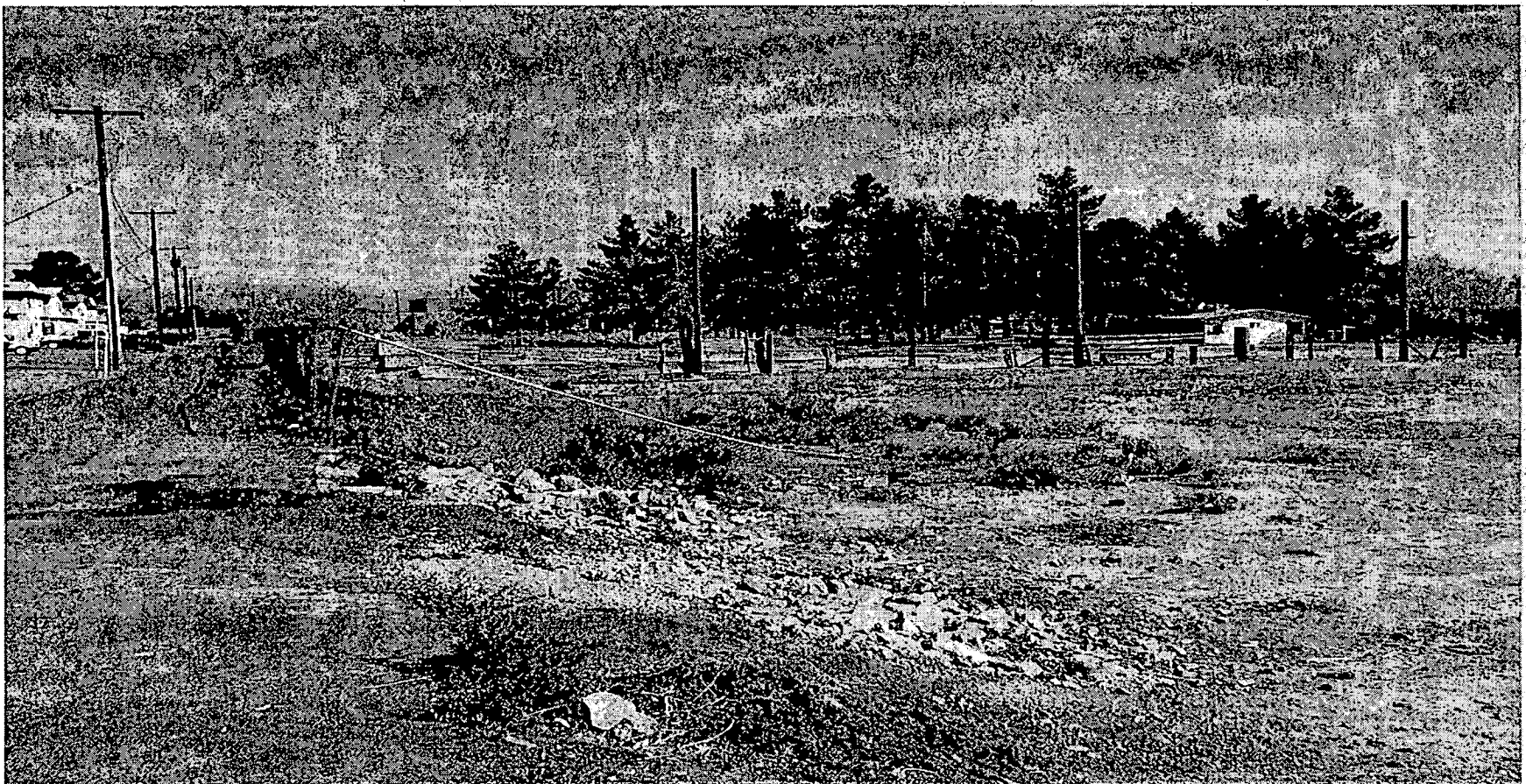
My commission expires:



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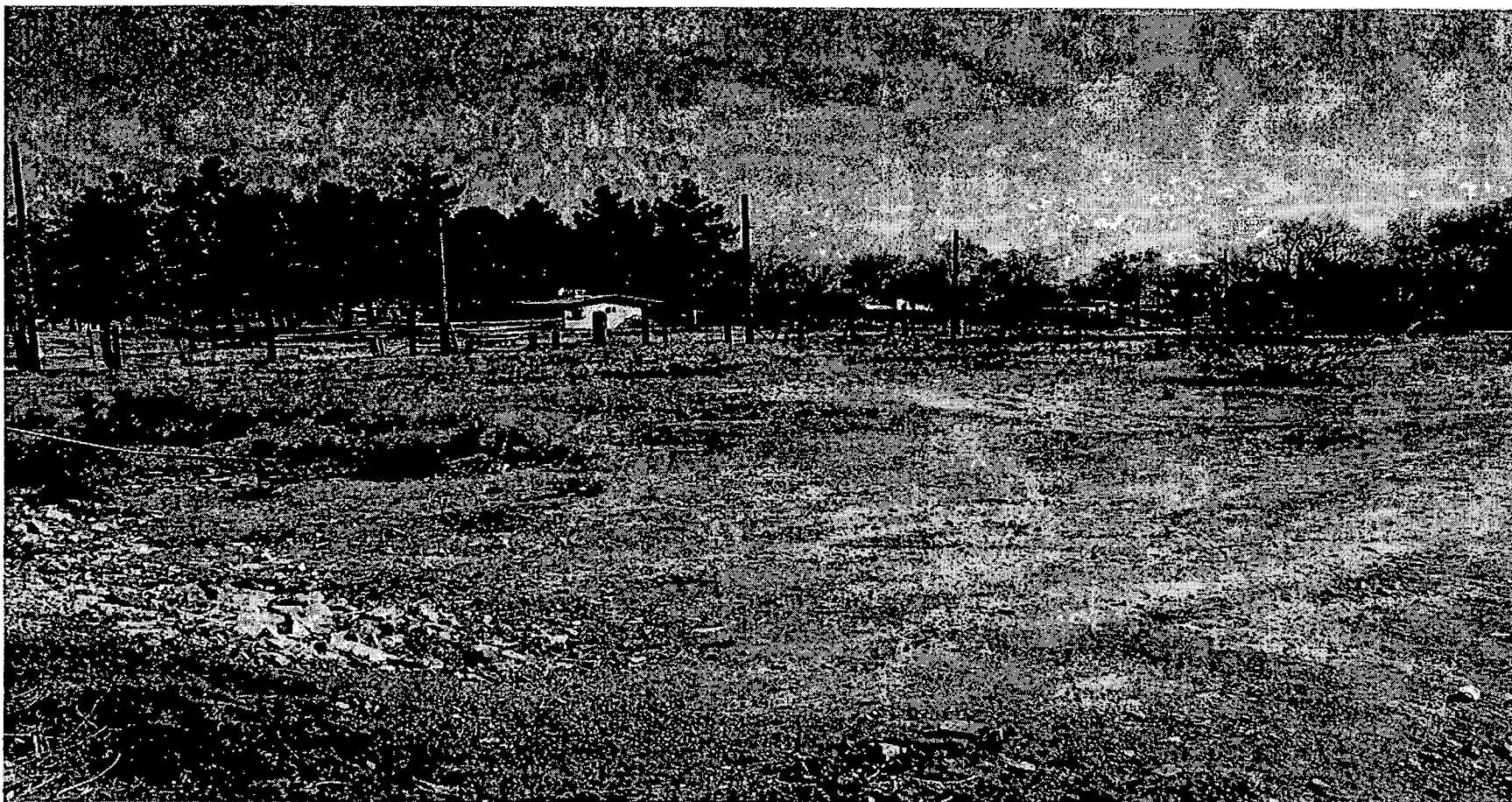


GPA-3670
04-08-04 PC



GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED
LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GPA-3670 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED
LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

**GREATER NEVADA PLANNING, INC.***Tracking your path to success!***DEVELOPER SERVICES**

- ✓ Permit Tracking
- ✓ Zone Changes
- ✓ Use Permits

MEMO

TO: Mr. Gary Liebel
City of Las Vegas
Via fax: 385-7268

FROM: Sharon Tyner-Sabraw

DATE: 3/31/04

SUBJECT: 139-25-410-007, 042, and 043
Effinger & Poppy Lane

Gary, as per our conversation by phone yesterday, we agree to pull this project into all possible compliance.

Specifically, we agree to the following (included, but not limited to these specifications):

1. 75' clear space along the North boundary
2. 20' set back in front yard, (Effinger side).
3. Maintain adequate parking
4. Maintain ^{10'} separation of buildings within the site

Thank you very much for your help.



GEORGE GEKAKIS, INCORPORATED
GENERAL CONTRACTOR / DEVELOPER

2655 S. Rainbow Blvd.
Suite #401
Las Vegas, NV 89146
NV Lic. #0025406

702-364-8027 Phone
702-364-4925 Fax
e-mail: GGI@lvcn.com
www.ggidevelopment.com

March 24, 2003

Mr. Mark Sabraw
Greater Nevada Planning, Inc.
2756 N. Green Valley Pkwy., #177
Henderson, Nevada 89014-2120

RE: Zone Change Request
Vacant Land - Effinger & Poppy Lane

Dear Mr. Sabraw,

Upon reviewing your proposed site plan for the zone change request on the above referenced site, we have some conditions that we would like to see included in the zoning. Although we do not support the zone change request, we are not denying it either with the inclusion of the following conditions:

1. An eight (8) foot high block wall on the south perimeter that borders McKnight Senior Village.
2. The building height cannot be more than 25 feet.
3. A 25 ft. landscape buffer on the south end of the proposed site that borders McKnight Senior Village.

Thank you in advance for your consideration of the above recommendations and please feel free to call my office if you have any questions at 364-8027.

Best regards,

GEORGE GEKAKIS, INC.

George Gekakis

GG/me

cc: Steve Swanton, City of Las Vegas Planning

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3670 AND SDR-3958 - PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-3 (Medium Density Residential) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane (APN: 139-25-410-007, 042, and 043), Ward 3 (Reese).

C.C. 06/16/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

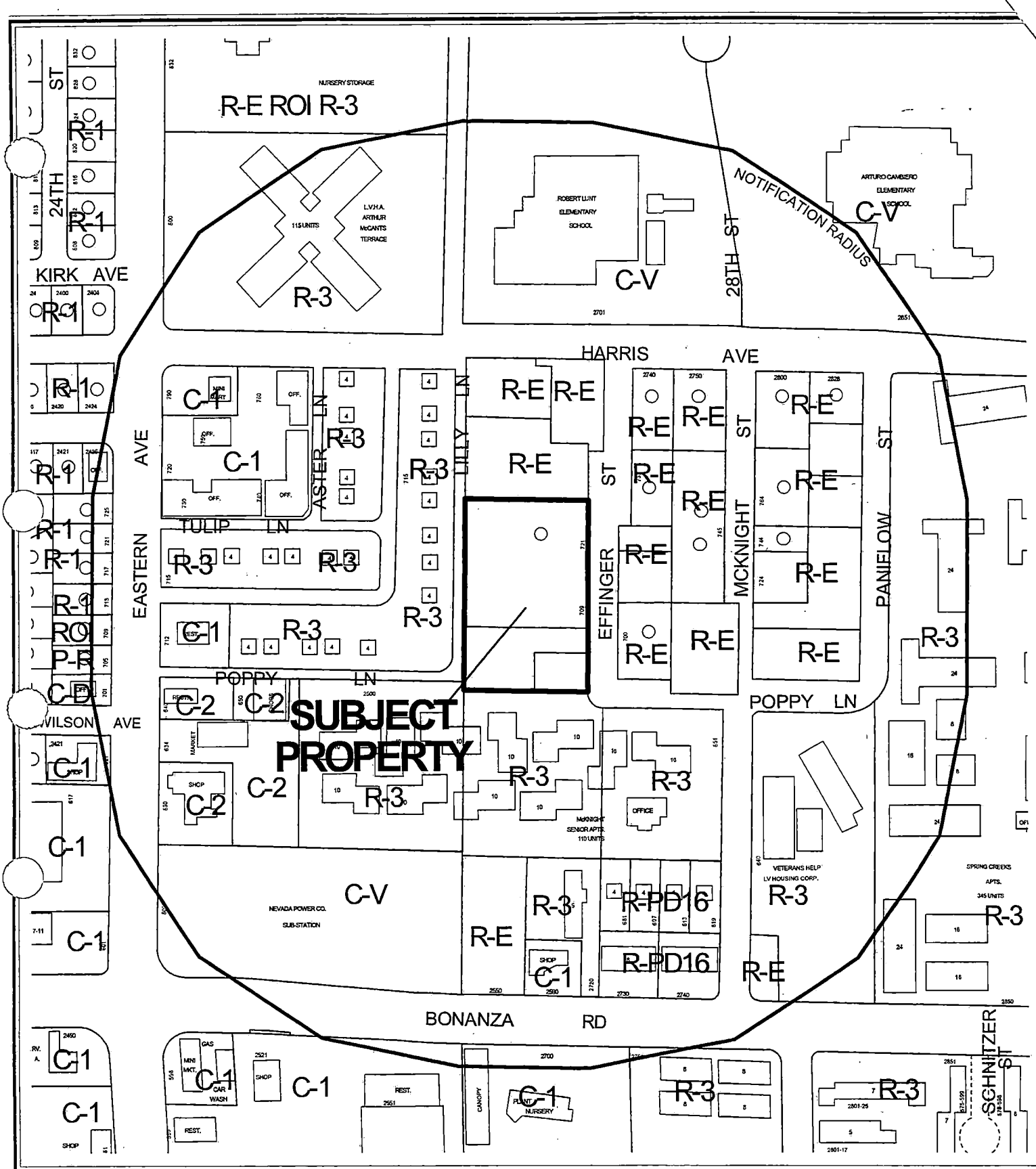
NIGRO – ABEYANCE to 5/27/2004 Planning Commission meeting – UNANIMOUS

MINUTES:

NOTE: See Item 25 [GPA-3670] for all related discussion.

(6:40 – 7:14)

1-1464

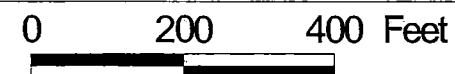


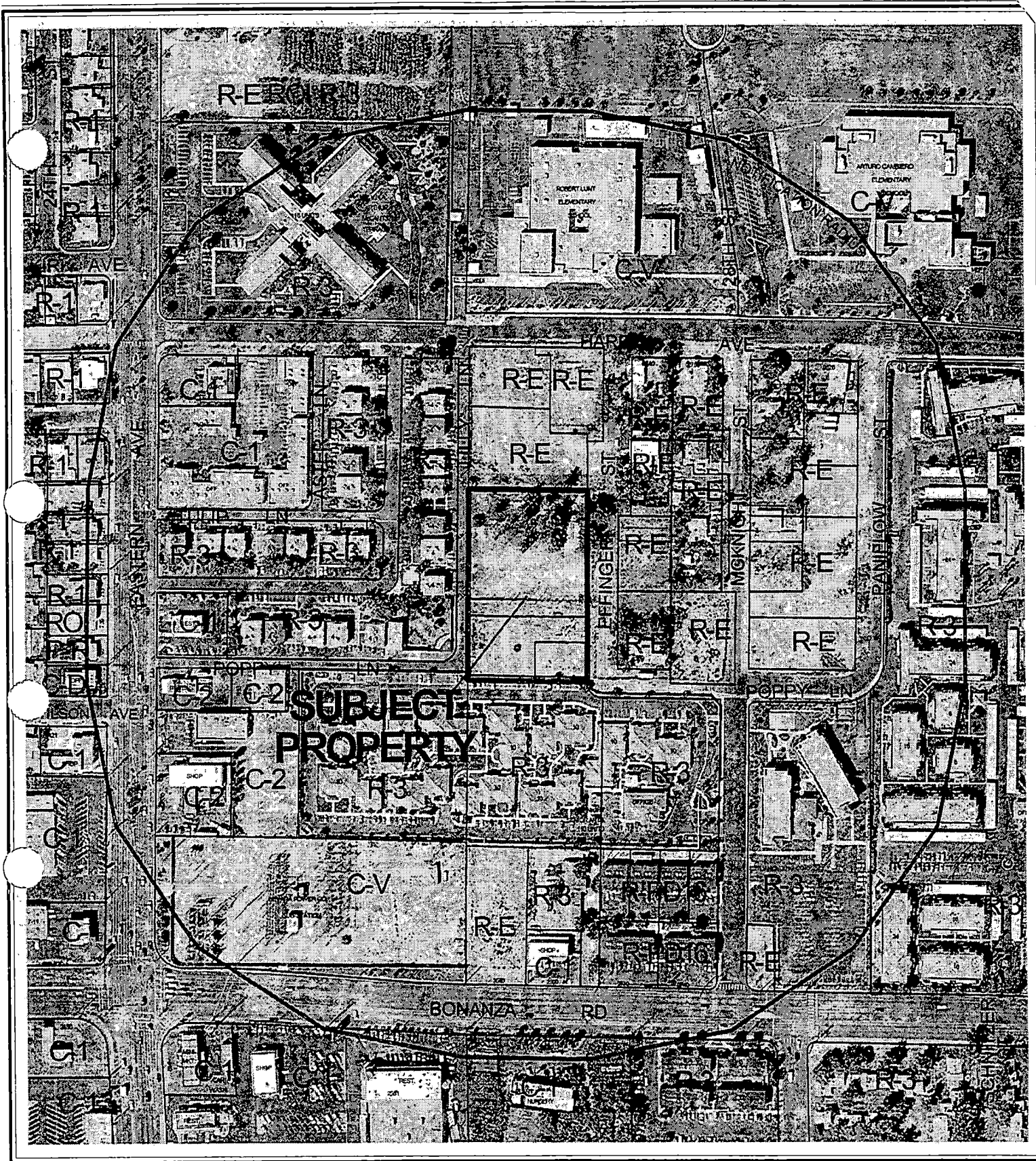
CASE: ZON-3672

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)





CASE: ZON-3672

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: REZONING RELATED TO GPA-3670 AND SDR-3958 -

PUBLIC HEARING - ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS -

OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL** If APPROVED, Subject to:

Planning and Development

1. A General Plan Amendment (GPA-3670) to an M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-3958) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Construct all incomplete half-street improvements on Effinger Lane and Lilly Lane adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the northern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Extend sanitary sewer past the northern boundary of this site in Effinger Lane to a location and depth acceptable to the City Engineer concurrent with development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

ZON-3672 - Conditions Page Two
April 8, 2004 Planning Commission Meeting

concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for approval of a Rezoning from R-E (Residence Estates) to R-3 (Medium Density Residential) on 2.09 acres at the northwest corner of Effinger Lane and Poppy Lane. Companion applications for a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), and for a Site Development Review (SDR-3958) and a reduction in the amount of required perimeter landscaping for a proposed 50-unit multi-family residential development will be considered concurrently.

B) Applicant's Justification

In a letter submitted with the application, the applicant has justified the request by stating that this land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service, and that the General Plan designations surrounding this site is M (Medium Density Residential) except for a PF (Public Facilities) designation to the north. No justification was provided for the requested waiver of development standards.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history associated with this site.

04/08/04 The Planning Commission will review companion applications for a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), and for a Site Development Review (SDR-3958) and a reduction in the amount of required perimeter landscaping for a proposed 50-unit multi-family residential development. Staff has recommended denial of all three applications.

B) Pre-Application Meeting

01/16/04 At the meeting, the applicant was advised of the following issues:

- For parking standards, 0.75 parking spaces per unit or 38 spaces are required.
- Add 10 feet of landscape buffer along Lilly Lane and remove parking.
- Justification letter should reference the desire for senior housing and any waiver request to the Code.

- Verify that 15 feet of landscape buffer is required along Effinger Lane.
- Need alley access to accommodate parking.

C) Neighborhood Meetings

03/04/04 A neighborhood meeting sponsored by the applicant was held at the Las Vegas Library. Four people attended the meeting. Two of the four represented the owner of a senior complex to the south, and the other two were not residents but were relatives of a nearby property owner. Concerns included the following:

- Whether there would be a resident manager on site.
- What trees and landscaping would be provided

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.09

B) Existing Land Use

Subject Property: Single-Family Dwellings and Undeveloped

North: Single-Family Dwellings

South: Multi-Family Apartments

East: Across Effinger Lane, Single-Family Dwellings

West: Across Lily Lane, Duplex Dwellings

C) Planned Land Use

Subject Property: L (Low Density Residential)

North: L (Low Density Residential)

South: M (Medium Density Residential)

East: Across Effinger Lane, L (Low Density Residential)

West: Across Lily Lane, M (Medium Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)

North: R-E (Residence Estates)

South: R-3 (Medium Density Residential)

East: Across Effinger Lane, R-E (Residence Estates)

West: Across Lily Lane, R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is identified on the Southeast Sector Map of the General Plan as L (Low density Residential). This category permits single-family detached homes, mobile homes on individual lots, gardening, home occupations and family child care facilities. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. The

ZON-3672 - Staff Report Page Three
April 8, 2004 Planning Commission Meeting

proposed development would not conform to this land use designation, but would conform if the companion request for an amendment to the M (Medium Density Residential) designation is approved.

Part of the subject property is located within a Rural Preservation Neighborhood. The Nevada Revised Statutes specifically states, "...the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved." Consequently, for this part, the property may not be redesignated to another classification.

Part of the subject property is also located within the Rural Preservation Neighborhood (RPN) buffer. This 330-foot transitional buffer exists because of the RPN. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown.**

Unlike the RPN, the RPN Buffer area may be reclassified when it can be demonstrated that there is good cause for doing so. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. The applicant submitted a letter with the application, stating: "The land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service." To the contrary, the land use application is inconsistent with the General Plan and the provisions for Rural Preservation Neighborhoods (RPNs). The General Plan allows only 5.5 dwelling units per acre and the more restrictive standards of the RPN permit no more than two dwelling units per acre and three dwelling units per acre in RPN Buffers, respectively. A land use classification of M that permits up to 25 dwelling units per acre is not a desirable transition to existing single-family dwellings. The applicant has not provided satisfactory "good cause" for varying from the provisions of this law.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood	X	
Inter-local Agreement Joint Land Use Planning Area		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

FINDINGS

To approve a rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

DDS

1. "The proposal conforms to the General Plan."

The existing General Plan designation of the subject site is L (Low Density Residential), which allows a density 3.6 to 5.5 units/gross acre; however, the applicant is requesting to amend this land use designation to M (Medium Density Residential), which allows a maximum of 25 dwelling units per gross acre. The proposed rezoning to R-3 (Residential Density Residential), which allows up to 25 units per acre, is consistent with the proposed General Plan designation. Staff is recommending denial of the General Plan Amendment request.

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."

By approving the subject request, a density of residential development of up to 25 residential dwelling units per acre would be permitted. As discussed in the analysis section above, this is a very high density of development in an area where there are existing large lot single-family residences. For the RPN area, the density may not exceed two dwelling units per acre.

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

The growth and development factors in the community do not indicate a need for the Rezoning to R-3 for an apartment complex on this site. In addition, there are other locations with the appropriate zoning within Las Vegas that would allow a development such as this. The land uses to the north and east are all single-family residential.

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 does not have direct access to a major street. Effinger Lane, a local street, would provide the best access, but it would be shared with single-family dwellings. Traffic from this development could create localized congestion problems on the local streets.

NOTICES MAILED 57 (Mailed with GPA-3670 and SDR-3958)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3672 APN: 139-25-410-042

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

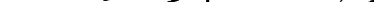
No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

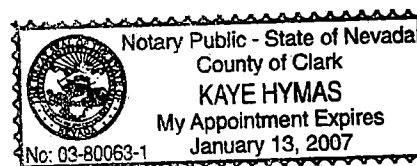
Signature of Property Owner/Authorized Agent: 

Print Name: Yann / Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Notary Public in and for said County and State



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: AARON WALLACE

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

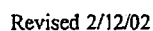
APN: _____

Signature of Property Owner/Authorized Agent: 

Print Name: Gerry Dietz

Subscribed and sworn before me

This 5 day of February, 2004
Sepe Hydas
 Notary Public in and for said County and State



STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3672 APN: 139-25-410-007

Name of Property Owner: JANET + STEVE WILSON

Name of Applicant: JANET + STEVE WILSON

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

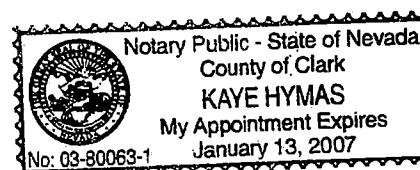
Signature of Property Owner/Authorized Agent: _____

Print Name: Ferry Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Kaye Hyman
Notary Public in and for said County and State



State of Nevada) ss
County of Clark)

**KNOW YE ALL MEN BY THESE PRESENTS,
That I, Aaron Wallace, President of: R M Property Holdings LLC
Address: 2984 E. Russell Rd.
City: Las Vegas
County: Clark
State: Nevada
Phone No. 434-4500**

Do hereby make, constitute and appoint Terry Dietz of:

Address: 2984 E. Russell Rd.
City: Henderson, NV 89014
County: Clark
State: Nevada
Phone No.: 434-4500

As my true and lawful attorney-in-fact, for me and in my name,
I place and stand to complete whatever actions necessary to fulfill
all requirements.

I further give and grant to my said attorney-in-fact full power and authority to do and perform every act necessary and proper to be done in the exercise of any of the foregoing powers as fully as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do, or cause to be done by virtue hereof.

This instrument may not be changed orally.

In witness whereof, I have hereunto set my hand and seal this 12 day of Feb, 2004.

Signature

CERTIFICATE OF NOTARY

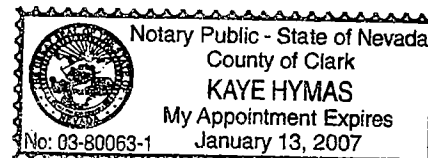
State of Nevada)
County of Clark) ss

On this 17 day of Feb., in the year 1999, before me personally came and appeared Aaron Wallace known and known to me, to be the individual described in and who executed the foregoing instrument, and who duly acknowledged to me that he executed same for the purpose therein contained.

In witness whereof, I hereunto set my hand and official seal.

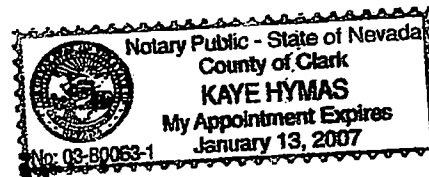
Notary Public

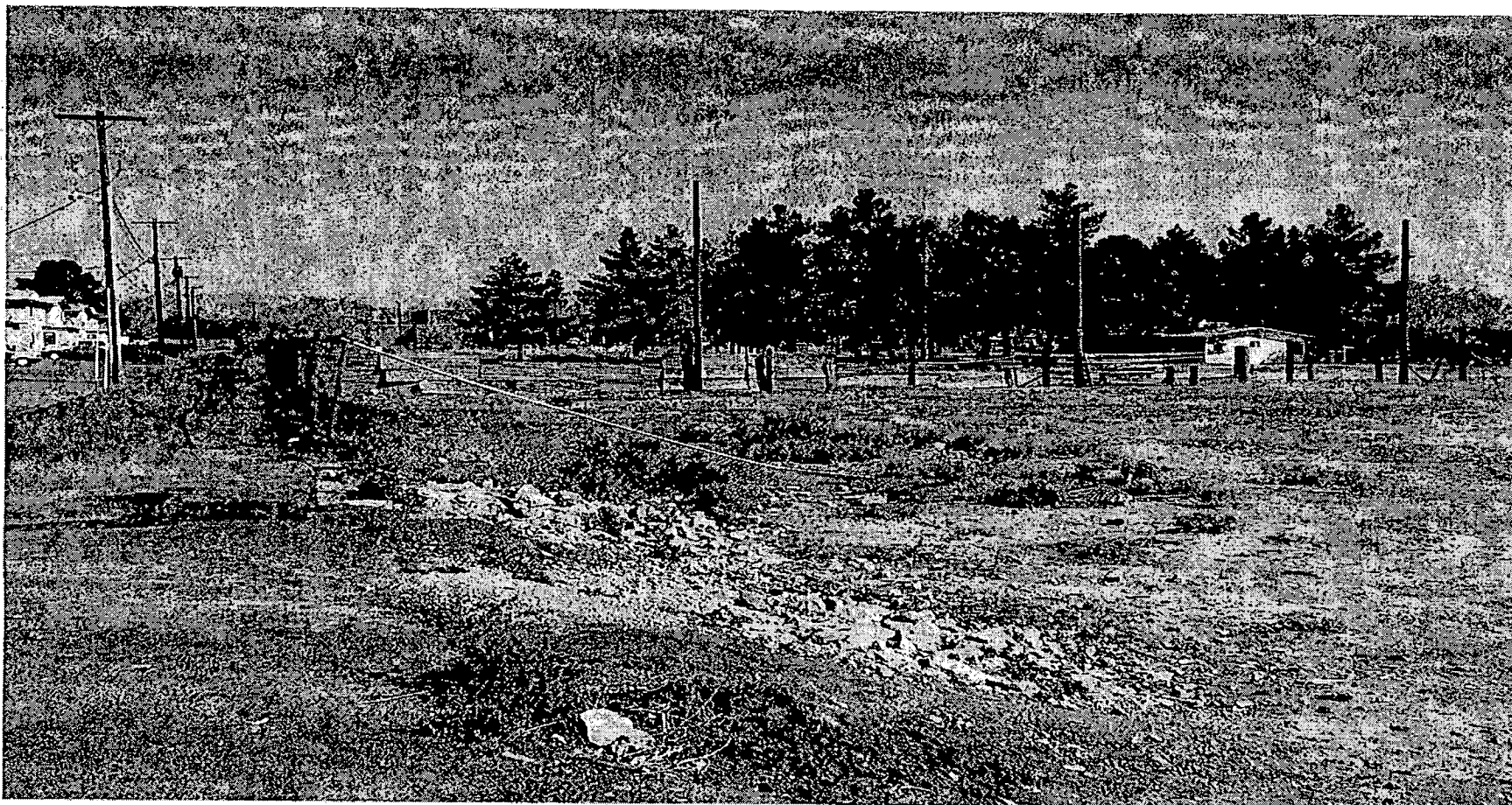
My commission expires:



State of Nevada)
County of Clark) ss

Raye Hyman
Notary Public in and for said County and State





ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED
LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-3672 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED
LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GEORGE GEKAKIS, INCORPORATED
GENERAL CONTRACTOR / DEVELOPER

2655 S. Rainbow Blvd.
Suite #401
Las Vegas, NV 89146
NV Lic. #0025406

702-364-8027 Phone
702-364-4925 Fax
e-mail: GGI@lvcn.com
www.ggidevelopment.com

March 24, 2003

Mr. Mark Sabraw
Greater Nevada Planning, Inc.
2756 N. Green Valley Pkwy., #177
Henderson, Nevada 89014-2120

RE: Zone Change Request
Vacant Land - Effinger & Poppy Lane

Dear Mr. Sabraw,

Upon reviewing your proposed site plan for the zone change request on the above referenced site, we have some conditions that we would like to see included in the zoning. Although we do not support the zone change request, we are not denying it either with the inclusion of the following conditions:

1. An eight (8) foot high block wall on the south perimeter that borders McKnight Senior Village.
2. The building height cannot be more than 25 feet.
3. A 25 ft. landscape buffer on the south end of the proposed site that borders McKnight Senior Village.

Thank you in advance for your consideration of the above recommendations and please feel free to call my office if you have any questions at 364-8027.

Best regards,

GEORGE GEKAKIS, INC.

George Gekakis

GG/me

cc: Steve Swanton, City of Las Vegas Planning

**GREATER NEVADA PLANNING, INC.***Tracking your path to success!***DEVELOPER SERVICES**

- Permit Tracking
- Zone Changes
- Use Permits

MEMO

TO: Mr. Gary Liebel
City of Las Vegas
Via fax: 385-7268

FROM: Sharon Tyner-Sabraw

DATE: 3/31/04

SUBJECT: 139-25-410-007, 042, and 043
Effinger & Poppy Lane

Gary, as per our conversation by phone yesterday, we agree to pull this project into all possible compliance.

Specifically, we agree to the following (included, but not limited to these specifications):

1. 75' clear space along the North boundary
2. 20' set back in front yard, (Effinger side).
3. Maintain adequate parking
4. Maintain ^{10'} separation of buildings within the site

Thank you very much for your help.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3670 AND ZON-3672 -
PUBLIC HEARING - SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS -
OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL -
Request for a Site Development Plan Review and a Reduction in the amount of required
perimeter landscaping FOR A PROPOSED 50-UNIT MULTI-FAMILY RESIDENTIAL
DEVELOPMENT on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy
Lane (APN: 139-25-410-007, 042, and 043), R-E (Residence Estates) Zone [PROPOSED: R-3
(Medium Density Residential) Zone], Ward 3 (Reese).**

C.C. 06/16/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

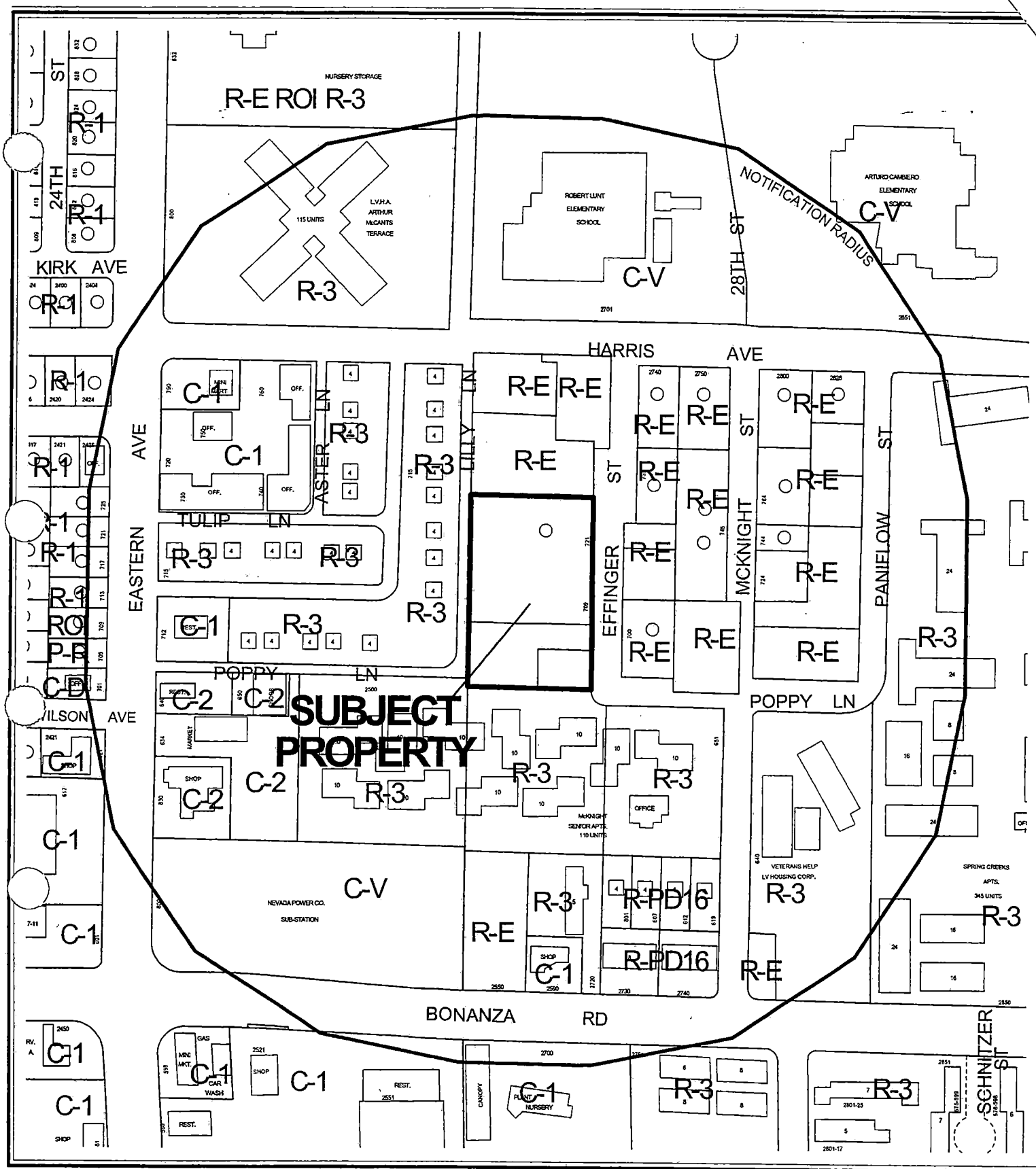
NIGRO – ABEYANCE to 5/27/2004 Planning Commission meeting – UNANIMOUS

MINUTES:

NOTE: See Item 25 [GPA-3670] for all related discussion.

(6:40 – 7:14)

1-1464



CASE: **SDR-3958**

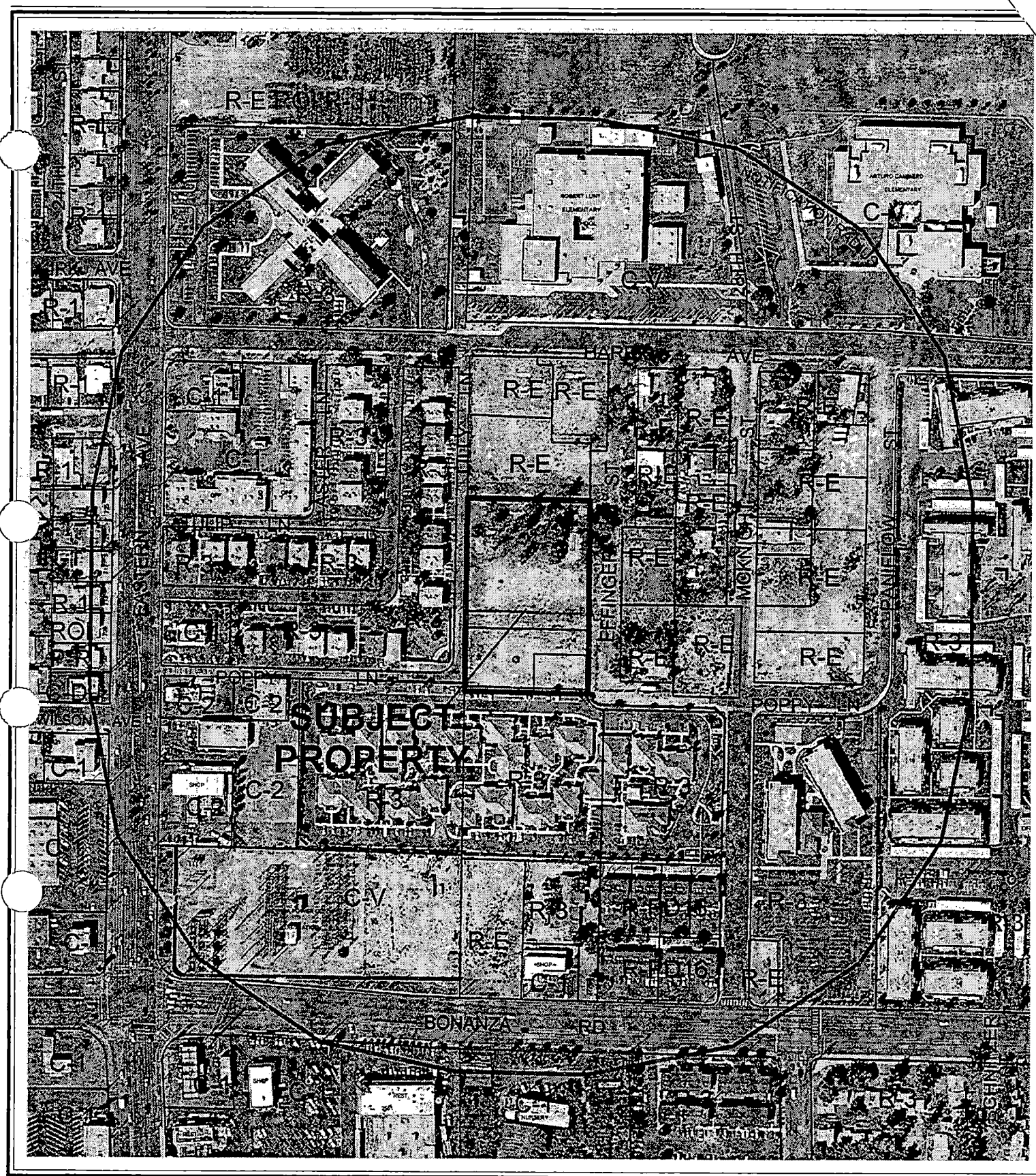
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)

0 200 400 Feet





CASE: SDR-3958

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS -
OWNER: R M PROPERTY HOLDINGS, LIMITED LIABILITY COMPANY, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL** If APPROVED, subject to:

Planning and Development

1. A General Plan Amendment (GPA-3670) to a M (Medium Density Residential) land use designation and a Rezoning [ZON-3672] to a R-3 (Medium Density Residential) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect front setbacks and trash enclosure that meet Code requirements and to meet Residential Adjacency Standards of the Code. This will require that the site plan be amended move the buildings on-site to meet Residential Adjacency setbacks, or that the applicant seek and receive approval of a Variance from these requirements of the Code.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Coordinate with the City Surveyor to determine if mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
16. Parking spaces accessed from Lily Lane shall be set back a minimum of four feet from the property line to provide a minimum of 24 feet clearance for vehicle maneuvering.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-3672 and all other site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for approval of a Site Development Review and a reduction in the amount of required perimeter landscaping for a proposed 50-unit multi-family residential development on 2.09 acres at the northwest corner of Effinger Lane and Poppy Lane. Companion applications for a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), and for a Rezoning (ZON-3672) from R-E (Residence Estates) to R-3 (Medium Density Residential) will be considered concurrently.

B) Applicant's Justification

In a letter submitted with the application, the applicant has justified the request by stating that this land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service, and that the General Plan designations surrounding this site is M (Medium Density Residential) except for a PF (Public Facilities) designation to the north. No justification was provided for the requested waiver of development standards.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history associated with this site.

04/08/04 The Planning Commission will review companion applications for a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), and for a Rezoning (ZON-3672) from R-E (Residence Estates) to R-3 (Medium Density Residential). Staff has recommended denial of all three applications.

B) Pre-Application Meeting

01/16/04 At the meeting, the applicant was advised of the following issues:

- For parking standards, 0.75 parking spaces per unit or 38 spaces are required.
- Add 10 feet of landscape buffer along Lilly Lane and remove parking.
- Justification letter should reference the desire for senior housing and any waiver request to the Code.
- Verify that 15 feet of landscape buffer is required along Effinger Lane.
- Need alley access to accommodate parking.

C) Neighborhood Meetings

03/04/04 A neighborhood meeting sponsored by the applicant was held at the Las Vegas Library. Four people attended the meeting. Two of the four represented the owner of a senior complex to the south, and the other two were not residents but were relatives of a nearby property owner. Concerns included the following:

- Whether there would be a resident manager on site.
- What trees and landscaping would be provided

A letter dated 03/24/04 was also received from the representatives of the adjacent McKnight Senior Village complex to the south, requesting that the applicants include an eight-foot block wall on the southern perimeter of the site, limit building height to 25 feet and provide a 25-foot landscape buffer on the south end of the property.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.09

B) Existing Land Use

Subject Property: Single-Family Dwellings and Undeveloped
North: Single-Family Dwellings
South: Multi-Family Apartments
East: Across Effinger Lane, Single-Family Dwellings
West: Across Lily Lane, Duplex Dwellings

C) Planned Land Use

Subject Property: L (Low Density Residential)
North: L (Low Density Residential)
South: M (Medium Density Residential)
East: Across Effinger Lane, L (Low Density Residential)
West: Across Lily Lane, M (Medium Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-3 (Medium Density Residential)
East: Across Effinger Lane, R-E (Residence Estates)
West: Across Lily Lane, R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is identified on the Southeast Sector Map of the General Plan as L (Low density Residential). This category permits single-family detached homes, mobile homes on individual lots, gardening, home occupations and family child care facilities. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. The proposed development would not conform to this land use designation, but would conform if the companion request for an amendment to the M (Medium Density Residential) designation is approved.

Part of the subject property is located within a Rural Preservation Neighborhood. The Nevada Revised Statutes specifically states, "...the governing body shall take such actions as are necessary and appropriate to ensure that the rural character of each rural preservation neighborhood is preserved." Consequently, for this part, the property may not be redesignated to another classification.

Part of the subject property is also located within the Rural Preservation Neighborhood (RPN) buffer. This 330-foot transitional buffer exists because of the RPN. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown.**

Unlike the RPN, the RPN Buffer area may be reclassified when it can be demonstrated that there is good cause for doing so. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. The applicant submitted a letter with the application, stating: "The land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service." To the contrary, the land use application is inconsistent with the General Plan and the provisions for Rural Preservation Neighborhoods (RPNs). The General Plan allows only 5.5 dwelling units per acre and the more restrictive standards of the RPN permit no more than two dwelling units per acre and three dwelling units per acre in RPN Buffers, respectively. A land use classification of M that permits up to 25 dwelling units per acre is not a desirable transition to existing single-family dwellings. The applicant has not provided satisfactory "good cause" for varying from the provisions of this law.

PROJECT DESCRIPTION

The request is for a proposed 50-unit multi-family residential development on 2.09 acres at the northwest corner of Effinger Lane and Poppy Lane. The development would consist of 20 one-bedroom and 30 two-bedroom units, distributed among eight two-story buildings on the site. The buildings are arranged in two groups of three and one group of two, in which the grouped buildings are joined by bridges or walkways. A total of 99 surface parking spaces are to be provided, of which six will be handicap spaces and 56 spaces will be covered. A recreational area on the east-central portion of the property is provided, and access to the site is available from both Lily Lane and from Effinger Lane.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards R-3 District	Required	Provided	Compliance
Min. Lot Size	6500 Square Feet	91,040 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	16 Feet	N
• Side	5 Feet	20 Feet	Y
• Corner	5 Feet	N/A	Y
• Rear	20 Feet	40 Feet	Y
Distance Between Buildings	10 Feet	10 Feet	Y
Max. Building Height	2 Stories / 35 Feet	2 Stories/25 Feet	Y
Trash Enclosure	Walled, Gated, Roofed, 50 Feet from residential property line	Not fully indicated	N

The project meets all development criteria of the R-3 zoning district, with the exception of the minimum front setback, and indicating trash enclosures that meet Code standards. The applicant has indicated by letter that the site plan will be revised to comply with these requirements. A condition of approval will require modifications to the site plan to address these issues.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The property immediately to the north of the subject site is designated as L (Low Density Residential). Title 19.08.060.A.1.b. requires that residential adjacency standards be observed for multi-residential projects adjacent to land so designated. Based on the required 3:1 proximity slope and the proposed building height of 25 feet, a separation distance of 75 feet from the proposed buildings to the north property line is required. A distance of 20 feet is proposed. The applicant will need to either move the buildings in question to comply with the requirement, or seek a Variance from the above-

noted provision. The applicant has indicated by letter that the site plan will be revised to comply with these requirements. A condition of approval addresses this issue.

b) Building setback. The project exceeds this requirement of the Code.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	Number of Units	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Apartments						
1-bdrm	20 units	1.25 spaces/unit	25 spaces			
2-bdrm	30 units	1.75 spaces/unit	53 spaces			
		1 guest space/6 units	9 spaces			
Totals	50 units		87 spaces	none	99 spaces	6 spaces

The project as designed exceeds the parking requirements of the Code. Although handicap spaces are not required unless handicap units are proposed, since the applicant is proposing a number of handicap spaces, the site plan should be modified to reflect at least one space that meets van-accessibility requirements of the Code.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 Spaces	17 Trees	42 Trees
Buffer:			
• Min. Trees	1 Tree/30 Linear Feet (1,240 Feet)	42 Trees	40 Trees
• Min. Zone Width	15 Feet on external perimeters, 6 Feet on internal perimeters		Y, except along Lily Lane
• Wall height	6 Feet		Y

The proposed landscaping meets or exceeds Code requirements, with the exception of landscaping and buffering along the Lily Lane frontage of the site. The applicant is proposing to have direct individual parking space access to Lily Lane, and has requested a Waiver of these standards for this reason. Given the fact that other proposed on-site landscaping will exceed Code requirements, this request is appropriate if this application is approved.

B) General Analysis and Discussion

- Zoning

There is a proposed companion Rezoning request to the R-3 District for the site. The purpose of the R-3 District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 District is consistent with the policies of the Medium Density Residential category of the General Plan, which is the subject of a companion General Plan Amendment application.

- Site Plan

The site plan conforms to most aspects of the Code, with the notable exceptions of the Residential Adjacency setback along the northern boundary of the site, the front yard setback along the east boundary of the site, and the landscaping and buffering standards of the Code in relation to the west boundary of the site. While the applicant has requested a reduction in the latter standard, site plan revisions or approvals of Variances will be required to address the Residential Adjacency and setback deficiencies.

- Waivers

The applicant has requested a reduction in the amount of perimeter buffering and landscaping as a part of this application. The intent is to allow for direct individual parking space access to Lily Lane. Given the fact that other proposed on-site landscaping will exceed Code requirements, this request is appropriate if this application is approved.

- Elevation

The elevations depict two-story stucco apartments buildings with low-angle pitched tile roofs and external stairwells to access upper-floor units. Foam pop-out details are employed over windows and doorways to add visual interest.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The density of the proposed development is not compatible with the existing land use designation and zoning. Although there are other apartment projects to the west and south of the subject site, there are low-density residential lands to the north and east of the site as well. Also, the site is affected with density restrictions as a result of applicable state law with respect to Rural Preservation Neighborhoods and buffer areas. A density of up to 25 dwelling units per acre is extreme compared to densities of two and three dwelling units per acre permitted within these adjacent areas.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The development would be consistent with the General Plan and with the Zoning Code if companion requests for General Plan Amendment and Rezoning are approved, with the exception of the Residential Adjacency setback along the northern boundary of the site, the front yard setback along the east boundary of the site, and the landscaping and buffering standards of the Code in relation to the west boundary of the site. While the applicant has requested a reduction in the latter standard, site plan revisions or approvals of Variances will be required to address the Residential Adjacency and setback deficiencies. The applicant has indicated by letter that the site plan will be revised to fully comply with Code requirements, other than the requested Waiver of landscaping and buffering standards.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The property does not have direct access to a major street. Effinger Lane, a local street, would provide the best access, but it would be shared with single-family dwellings.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building materials of the existing buildings are appropriate for the area and for the City.

5. "Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"

The existing buildings are not unsightly or obnoxious in appearance and are harmonious and compatible with development in the area.

6. "Appropriate measures are taken to secure and protect the public health, safety and general welfare."

The proposed apartments will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

NOTICES MAILED 57 (Mailed with GPA-3670 and ZON-3672)

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: STR-3958 APN: 139-25-410-007

Name of Property Owner: JANET + STEVE WILSON

Name of Applicant: JANET + STEVE WILSON

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

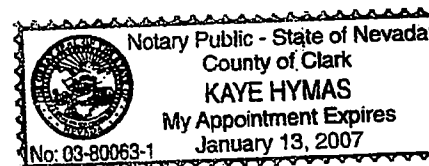
APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name:

Subscribed and sworn before me

This 5 day of January, 2024
Kyle Hyman
 Notary Public in and for said County and State





STATEMENT OF FINANCIAL INTEREST

Name of Applicant: AARON WALLACE

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

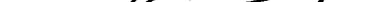
Yes ☒ No ☐

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

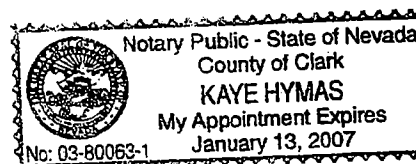
Signature of Property Owner/Authorized Agent: 

Print Name: Vern Dietz

Subscribed and sworn before me

This 5 day of January, 2004

Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3958 APN: 139-25-410-043

Name of Property Owner: RM PROPERTY HOLDINGS

Name of Applicant: AARON WALLACE

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

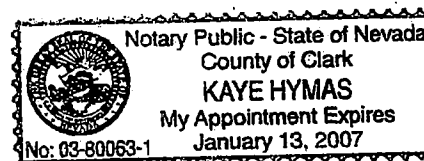
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 5 day of January, 2004

Notary Public in and for said County and State



State of Nevada)
County of Clark) ss

Do hereby make, constitute and appoint Terry Dietz of:

As my true and lawful attorney-in-fact, for me and in my name, place and stead to complete whatever actions necessary to fulfill all requirements.

This instrument may not be changed orally.

In witness whereof, I have hereunto set my hand and seal this 12 day of Feb, 2004.

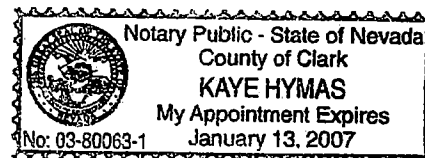
Signature

State of Nevada)
County of Clark) ss

In witness whereof, I hereunto set my hand and official seal.

Notary Public

My commission expires:



State of Nevada) ss
County of Clark)

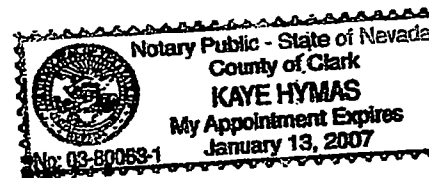
Do hereby make, constitute and appoint Terry Dietz of:
Address: 2984 E. Russell Rd.
City: Henderson, NV 89014
County: Clark
State: Nevada
Phone No.: 434-4500

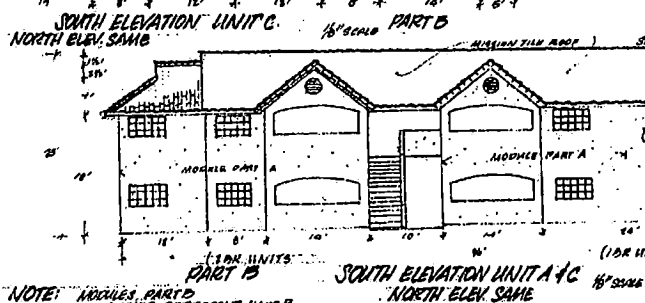
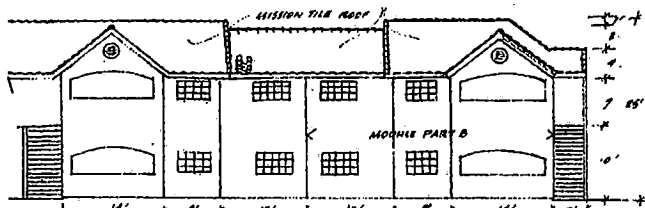
We further give and grant to said attorney-in-fact full power and authority to do and perform every act necessary and proper to be done in the exercise of any of the foregoing powers as fully as we might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney-in-fact shall lawfully do, or cause to be done by virtue hereof.

In witness whereof, I have hereunto set my hand and seal this 5 day of Jan, 2004. John H. Wilson

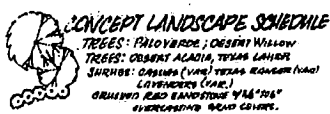
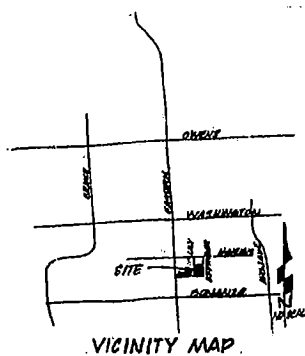
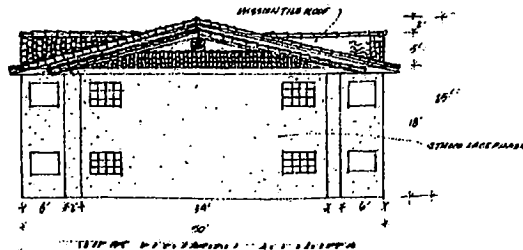
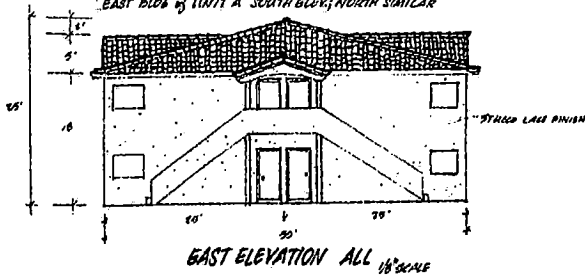
Steve H Wilson
Signature

This 5 day of January, 2004
Lyle Hymas
 Notary Public in and for said County and State





NOTE: MODULES PART D TOGETHER REPRESENT UNIT B. SOUTH ELEVATION NORTH SIMILAR. MODULES PART D & PART A REPRESENT EAST SIDE OF UNIT A. SOUTH ELEV. NORTH SIMILAR.

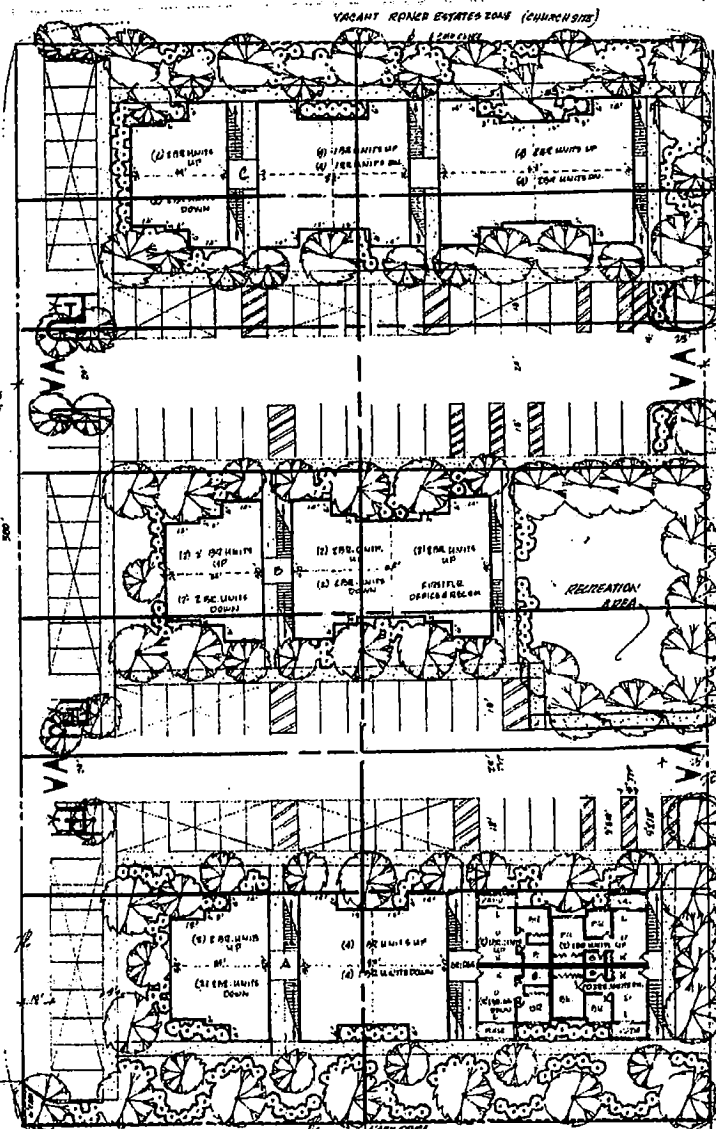


DENSITY
50 UNITS TOTAL ON 0.1200 AC. 2.08 AC.
= 23.61 UNITS/AC (20)
TOTALS ON 0.1200 AC. 2.08 AC. 2.08 AC.
= 23.61 UNITS/AC (20)

BUILDING SIZES
BLDG A = OVERALL FOOTPRINT: 171' X 50'
BLDG B = 171' X 50'
BLDG C = 171' X 50'

ASSESSOR'S PARCEL NO.
154 25 410 000; 002 100

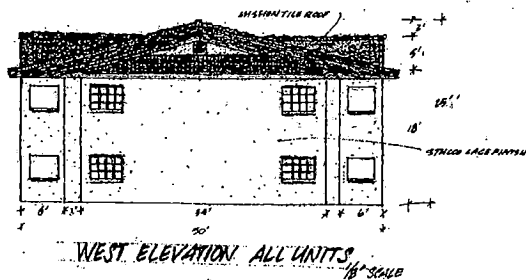
PARKING ANALYSIS
NR 1 DR. UNITS = 50 @ 1.20/CH + 4 GUEST
NR 2 DR. UNITS = 50 @ 1.20/CH + 5 GUEST
50 X 1.20 = 60.00 + 20.00
50 X 1.20 = 60.00 + 20.00
TOTAL PARKING REQUIRED
60.00 + 20.00 = 80.00



SITE PLAN / FLOOR PLANS / CONCEPT LANDSCAPING PLAN

ZON-3672
SDR-3958
04-08-04 PC

SITE PLAN; LANDSCAPE PLAN / ELEVATIONS
+ FLOOR PLAN TO ACCOMPANY
ZONE CHANGE REQUEST: RE-40 R3
ON EFFINGER NEAR HARRIS - CITY OF LAS VEGAS



CONCEPT LANDSCAPE SCHEDULE

TREES: FRUIT YARDE, DESERT WILLOW
TREES: DESERT ACACIA, TEXAS CANKER
SHRUBS: OASIS (VAR), TEXAS KANGAROO (VAR)
LAVENDER (VAR)
GRASS AND RICE GRASS 9" x 10"
OVERCASTING: GRASS COVERS.

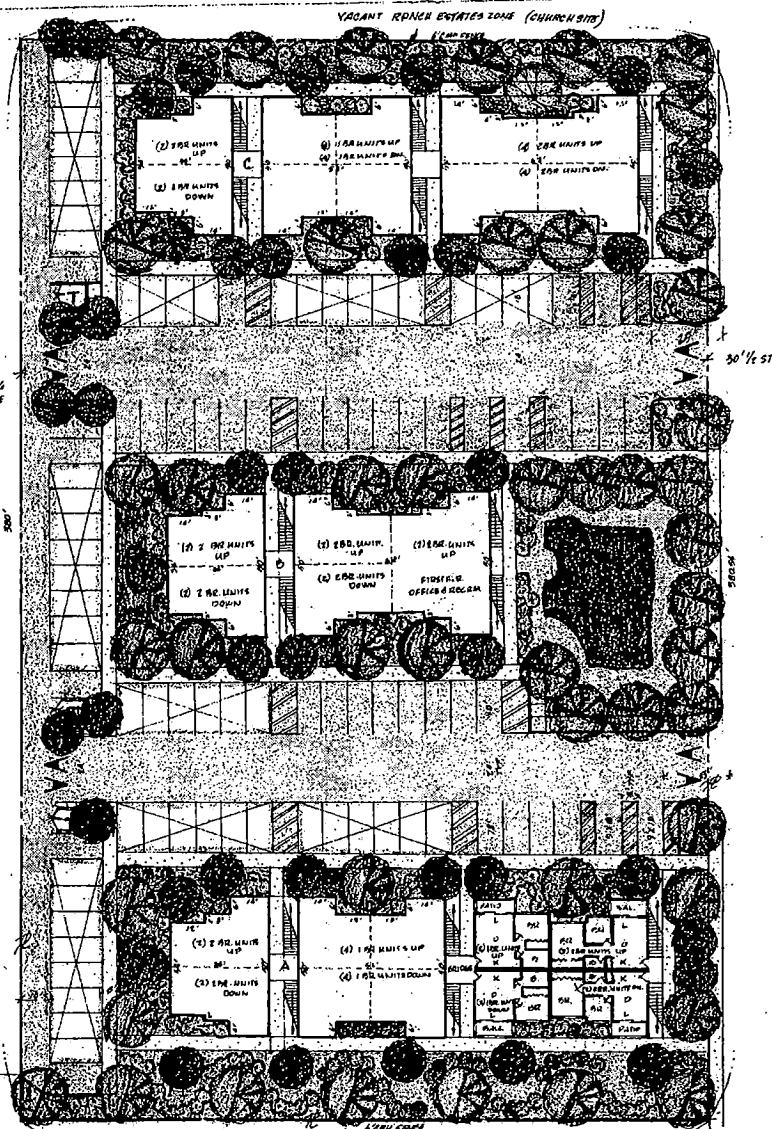
DENSITY
50 CHS. TOTAL ON 91,100# OR 2.094 lbs
= 23.88 dwt./oz (NOT)

BULK SIZES
BLDG A = Overall
BLDG B = 117' X 50'
BLDG C = 179' X 50'

POPPY LAND

ASSESSOR'S PARCEL NO.
139.25-410.003; 042.1007

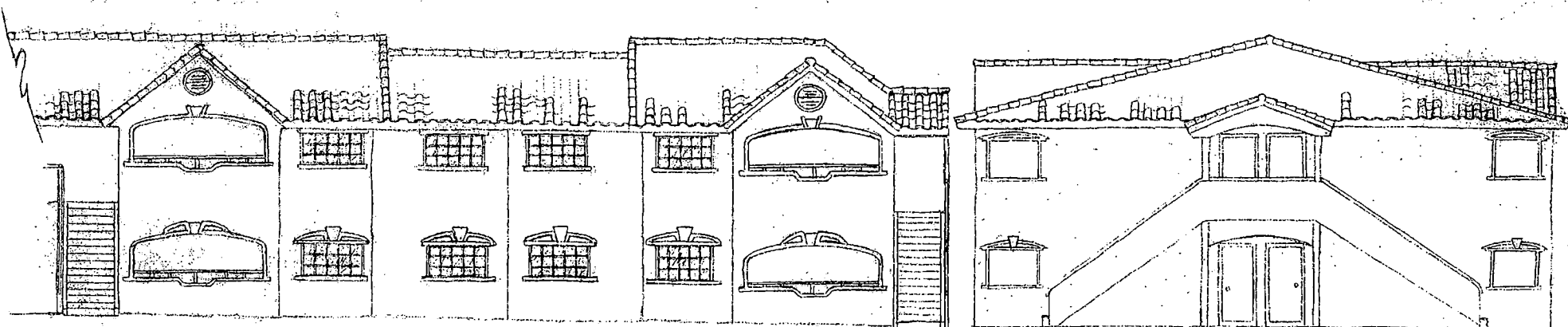
PARKING ANALYSIS
 NR 1SR. UNITS = 20 @ 1.25/OU → 4 GUEST
 NR 2SR UNITS = 90 @ 1.75/OU + 5 GUEST
 40 X 1.15 = 46 + 4 = 30 REQD
 30 X 1.75 = 52 + 5 = 57 TOTAL NEEDED REQD.
 SHOWING NEEDED 99, INB. 6 HANDICAP & 56 COVERED



SITE PLAN, 4 TYP. FLOOR PLANS & CONCEPT LANDSCAPING PLAN

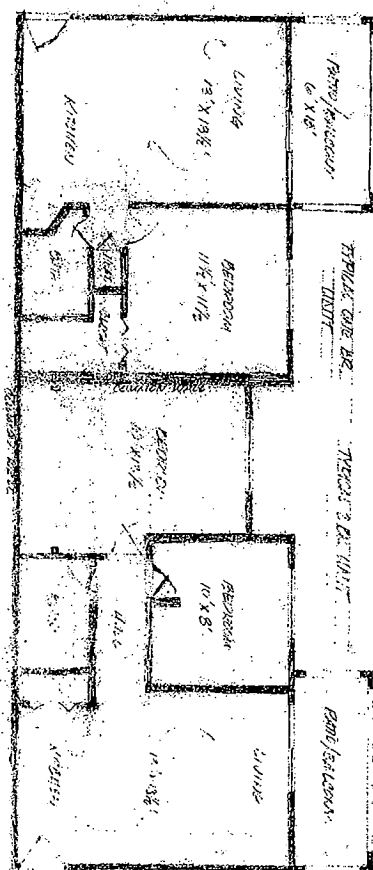
ZON-3672
SDR-3958
04-08-04 PC

SITE PLAN, LANDSCAPE PLAN, ELEVATIONS &
FLOOR PLANS TO ACCOMMODATE
ZONE CHANGE REQUEST RE: R3
ON EFFINGER NEAR HARRIS - CITY OF LAS VEGAS

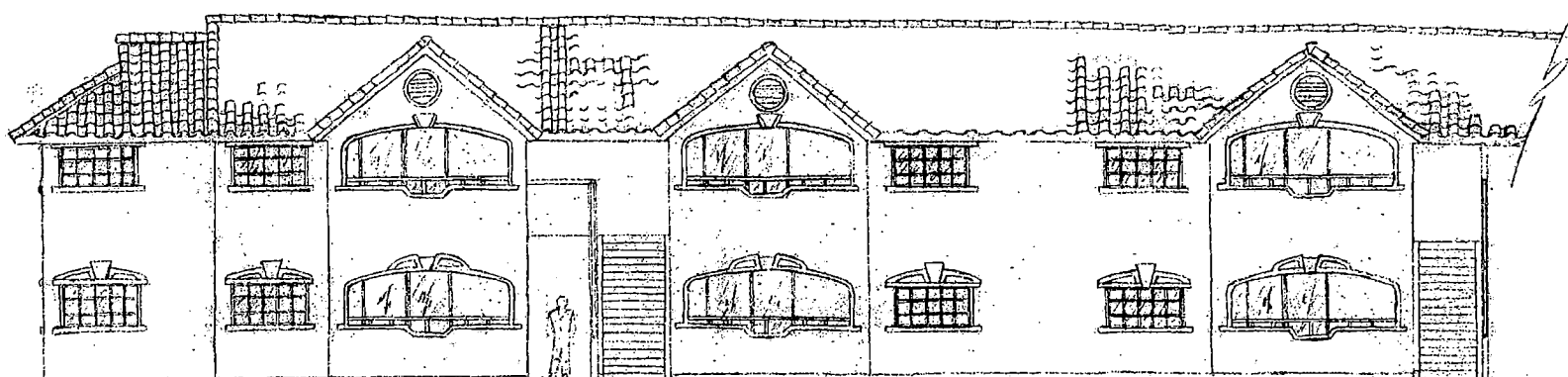


TYPICAL SIDE ELEVATION 2 BR UNITS
1/4" SCALE

TYPICAL ENTRY END ELEVATION
1/4" SCALE



ELDER PAD
1/4" SCALE

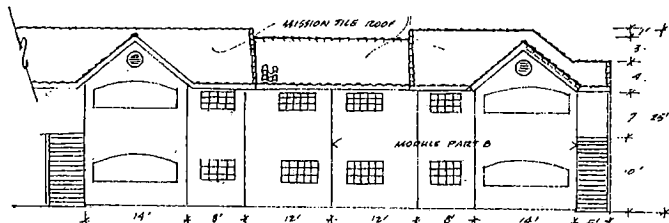


TYPICAL ELEVATION 2 BR & 1 BR UNITS
1/4" SCALE

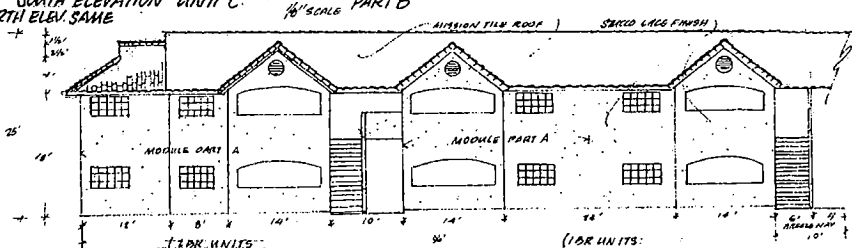
ZON-3672
SDR-3958
04-08-04 PC

ELEVATIONS to accompany
ZONE CHANGE REQUEST: RE-1, RE-2
ON EFFINGER NEAR HARRIS - Street of Las Vegas

PP 2 of 2 pgs.
JUN 10 2004
REV 2/10/04

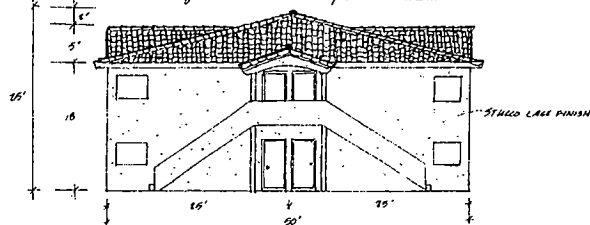


SOUTH ELEVATION UNIT C
NORTH ELEV SAME

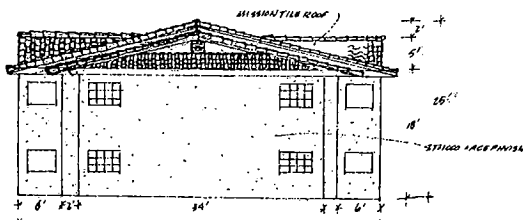


SOUTH ELEVATION UNIT A & C
NORTH ELEV SAME

NOTE: MODULES PART B
TOGETHER REPRESENT UNIT B
SOUTH ELEVATION/NORTH SIMILAR
MODULES PART D & PART A REPRESENT
EAST ELEV OF UNIT A SOUTH ELEV/NORTH SIMILAR



EAST ELEVATION ALL UNITS



WEST ELEVATION ALL UNITS

VICINITY MAP

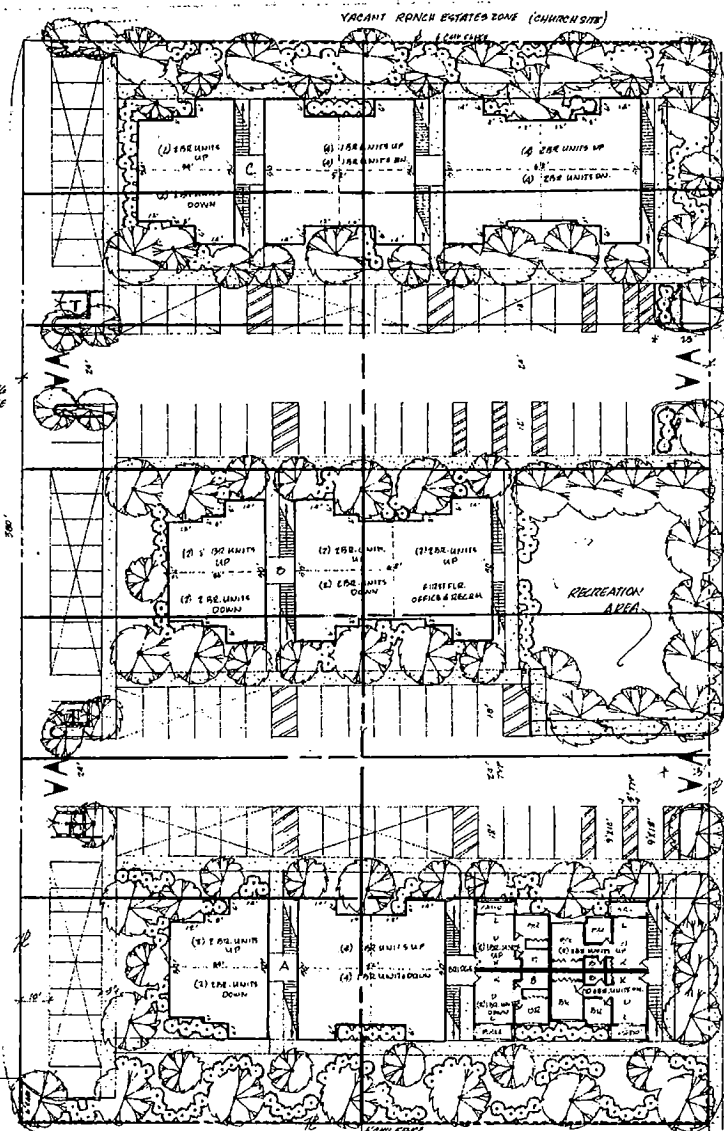
CONCEPT LANDSCAPE SCHEDULE
TREES: PALM VERDE, DESERT WILLOW
TREES: ORANGE ALABAMA, TEXAS LAUREL
SHRUBS: CASAHUA (VAR), TEXAS ROSEMARY (VAR)
LOVEVERDES (VAR)
GRASS: RED SANDSTON 1/2" 1/4"
OVERCASTING: 90% COVER

DENSITY
50 DUS TOTAL ON 0.1200 AC OR 2.04 AC
= 23.33 ddu/acre (AVG)
50 DUS ON 101,600'² ON 2.50 AC 4.00 AC
= 21.55 ddu/acre (AVG)

BLDG SIZES
BLDG A - OVERALL FOOTPRINT: 171' X 50'
BLDG B = 111' X 50'
BLDG C = 179' X 50'

ASSESSOR'S PARCEL NO.
159 35 410 073; 082 1 007

PARKING ANALYSIS
AC 1 DUS UNITS = 20 @ 1.50/CH + 4 GUEST
AC 2 DUS UNITS = 20 @ 1.75/CH + 5 GUEST
80 X 1.15 = 92.00 = 59 ROAD
80 X 1.15 = 92.00 = 55 + 83 TOTAL 114.00 REQD.
SUDAN 1000, 100, 100, 6 HANDICAP + 26 COVERED

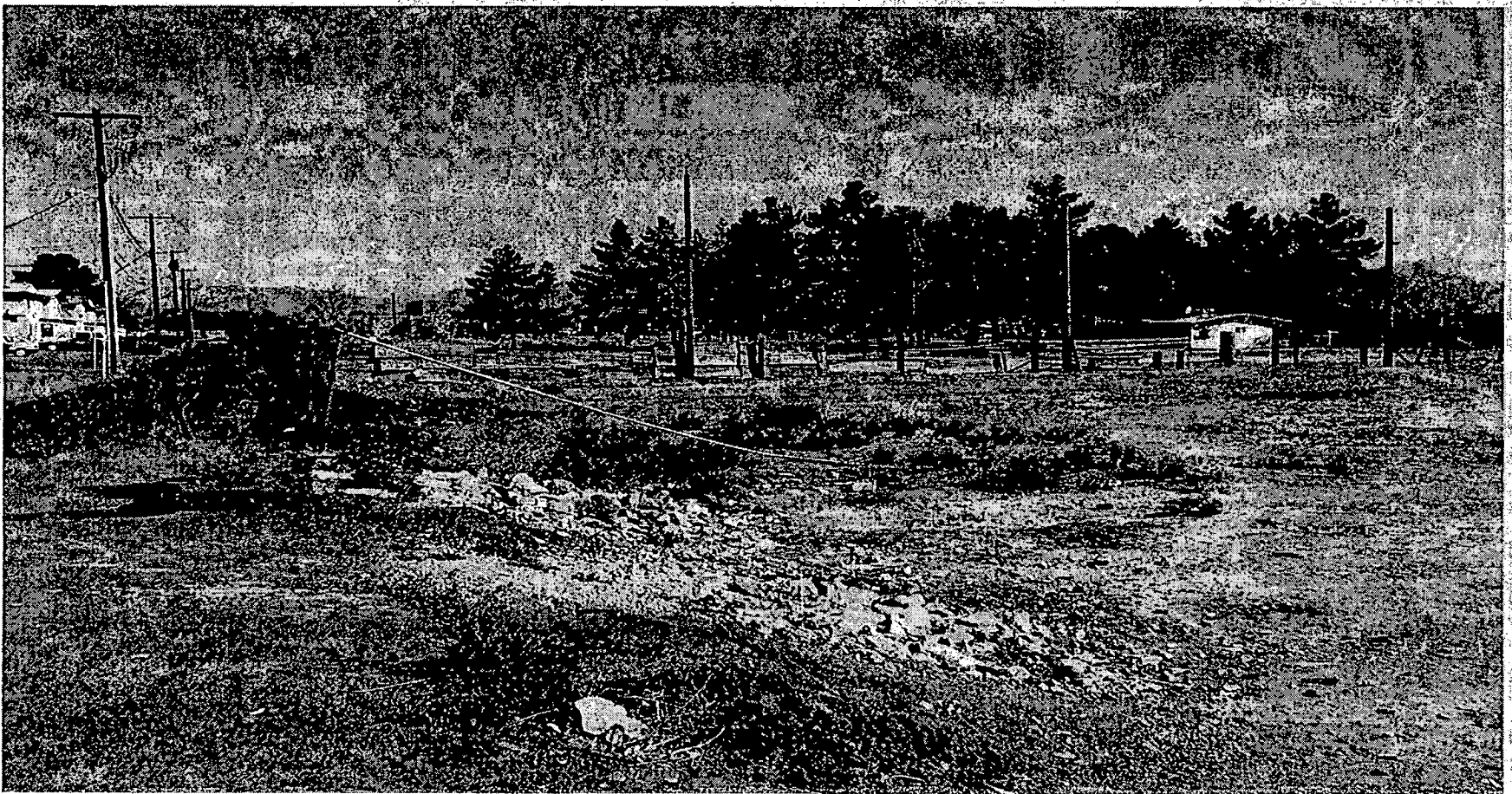


SITE PLAN 1/4" TYP. FLOOR PLANS & CONCEPT LANDSCAPING PLAN

ZON-3672
SDR-3958
04-08-04 PC

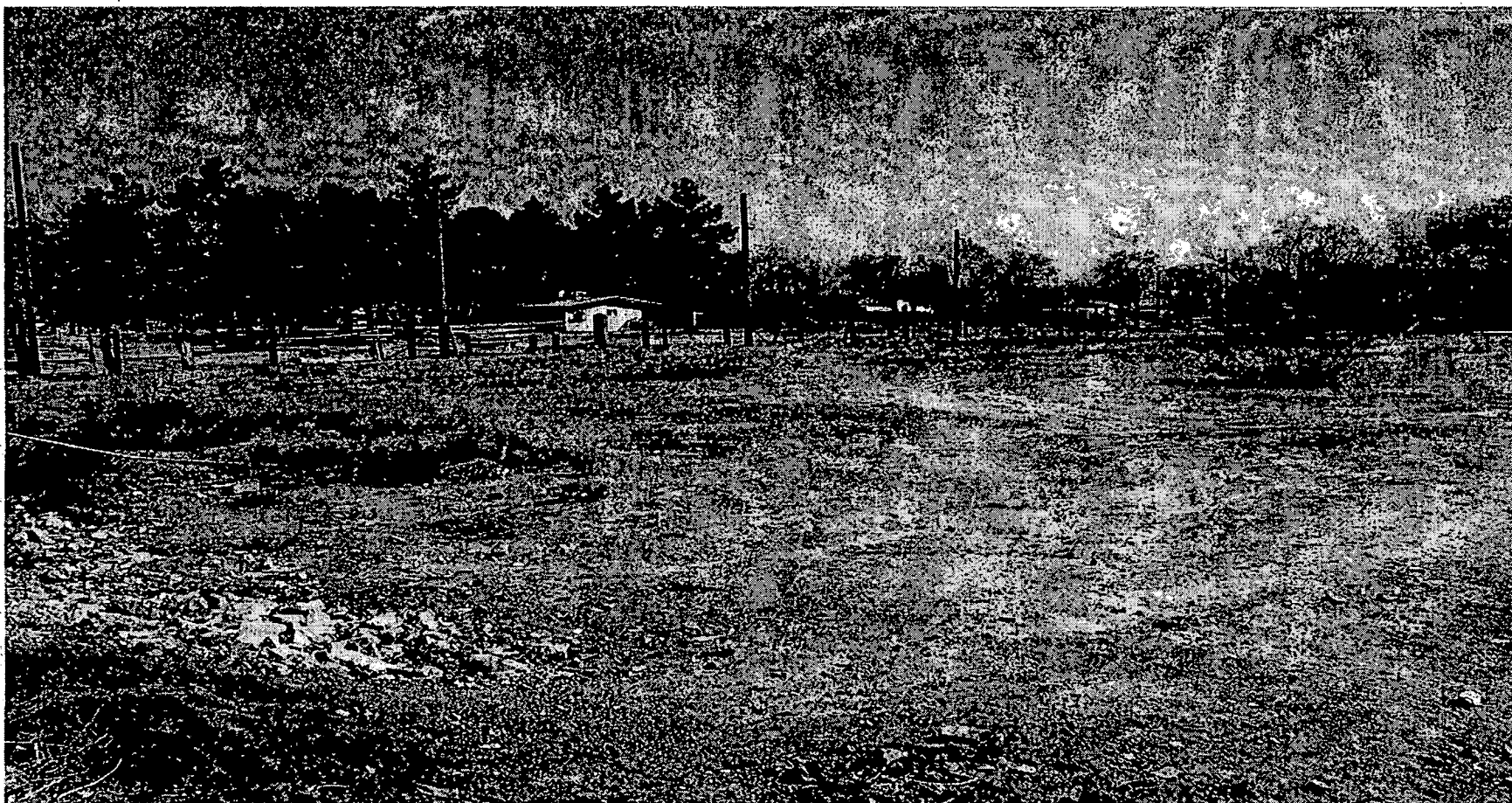
SITE PLAN, LANDSCAPE PLAN & ELEVATIONS
1 FLOOR PLAN TO ACCOMPANY
ZONE CHANGE REQUEST: RE-UR3
ON EFFINGER NEAR HARRIS - CITY OF LAS VEGAS

10/23/2004 10:00 AM 2000 5/20/04 11/10/2004 11/10/2004 11/10/2004 11/10/2004



SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED
LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-3958 - APPLICANT: R M PROPERTY HOLDINGS - OWNER: R M PROPERTY HOLDINGS, LIMITED
LIABILITY COMPANY, ET AL
ADJACENT TO THE NORTHWEST CORNER OF EFFINGER LAND AND POPPY LANE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GEORGE GEKAKIS, INCORPORATED
GENERAL CONTRACTOR / DEVELOPER

2655 S. Rainbow Blvd.
Suite #401
Las Vegas, NV 89146
NV Lic. #0025406

702-364-8027 Phone
702-364-4925 Fax
e-mail: GGI@lvcm.com
www.ggidevelopment.com

March 24, 2003

Mr. Mark Sabraw
Greater Nevada Planning, Inc.
2756 N. Green Valley Pkwy., #177
Henderson, Nevada 89014-2120

RE: Zone Change Request
Vacant Land - Effinger & Poppy Lane

Dear Mr. Sabraw,

Upon reviewing your proposed site plan for the zone change request on the above referenced site, we have some conditions that we would like to see included in the zoning. Although we do not support the zone change request, we are not denying it either with the inclusion of the following conditions:

1. An eight (8) foot high block wall on the south perimeter that borders McKnight Senior Village.
2. The building height cannot be more than 25 feet.
3. A 25 ft. landscape buffer on the south end of the proposed site that borders McKnight Senior Village.

Thank you in advance for your consideration of the above recommendations and please feel free to call my office if you have any questions at 364-8027.

Best regards,

GEORGE GEKAKIS, INC.


George Gekakis

GG/me

cc: Steve Swanton, City of Las Vegas Planning

**GREATER NEVADA PLANNING, INC.***Tracking your path to success!***DEVELOPER SERVICES**

- ✓ Permit Tracking
- ✓ Zone Changes
- ✓ Use Permits

MEMO

TO: Mr. Gary Liebel
City of Las Vegas
Via fax: 385-7268

FROM: Sharon Tyner-Sabraw

DATE: 3/31/04

SUBJECT: 139-25-410-007, 042, and 043
Effinger & Poppy Lane

Gary, as per our conversation by phone yesterday, we agree to pull this project into all possible compliance.

Specifically, we agree to the following (included, but not limited to these specifications):

1. 75' clear space along the North boundary
2. 20' set back in front yard, (Effinger side).
3. Maintain adequate parking
4. Maintain 10' separation of buildings within the site

Thank you very much for your help.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT RELATED TO ZON-3981 AND SDR-3982 - PUBLIC HEARING - GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

106

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning Commission – Petition submitted by Sharon Friend with signatures representing 80 residences.

MOTION:

McSWAIN – DENIED – UNANIMOUS

To be heard by the City Council on 5/5/2004

NOTE: COMMISSIONER McSWAIN disclosed that her grandfather at one time lived in the area.

NOTE: COMMISSIONER DAVENPORT disclosed that he does not have a conflict, even though one of his election signs is on the property. He has a contract with the sign company who puts the signs wherever they choose.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 28 – GPA-3977

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 28 [GPA-3977], Item 29 [ZON-3981] and Item 30 [SDR-3982].

GARY LEOBOLD, Planning and Development Department, summarized that the request is to change the designation on the three lots from DR (Desert Rural) to O (Office) land use designation. In 2001, the Planning Department conducted a major land use study that was undertaken because of the increased interest to develop many of the vacant lots in the Rancho/Charleston corridor for office and commercial uses. There was a Rancho/Charleston Land Use Study and Strategic Plan adopted by the City Council June 19, 2002. As stated on the plan on Page 21, the major goal is to “protect the existing residential neighborhood from any additional encroachment by commercial and or office uses”. That study designated the subject area and the large area around it for single-family residences at no more than two dwelling units to the acre. The subject proposal would create an island of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single family. The site, from a land use perspective, is affected by the Rural Preservation Neighborhood buffering. The 330-foot buffer exists because of the RPN located immediately to the north, east, and south. A neighborhood meeting was held on the General Plan with 15 people in attendance, who opposed the request. Staff recommended denial of the General Plan Amendment.

Regarding the rezoning, MR. LEOBOLD indicated that the rezoning would change the designation from R-E (Residence Estates) to PR (Professional Office Parking). The requested rezoning would conform to the requested General Plan Amendment, but as in the case of the GPA, it is inconsistent with the long range planning for the area and would represent spot zoning. Therefore, staff also recommended denial.

With regard to the Site Plan, the request is for an 11,200 square foot medical building on the north end of the site. Should the companion General Plan and zoning applications be approved, the requested project would conform to the code requirements. A loading zone needs to be shown. The roof height would need to be reduced. MR. LEOBOLD pointed out that because of the Residential Adjacency Standards, the proximity slope of three to one to the north boundary would require either moving the building or reducing of the 24-foot proposed roof by 18 feet. There is also a requirement for the landscaping, with regard to perimeter trees and the size of parking lots to be increased to meet code standards. The applicant has indicated that he is prepared to revise the site plan to meet the standards to the Code. This would be a great project on another site, but given the General Plan and the rezoning concerns, staff feels that it would be inconsistent with the long-range planning for the area. Therefore, staff recommended denial.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 28 – GPA-3977

MINUTES – Continued:

GINA PERRY, Owner/Broker of Heritage Realty Company and represents the sellers of the three parcels, which have not been able to sell. She also represents the buyer who would like to provide the community with a single story academic facility for acute spinal injury patients. The applicant is planning to construct a building with a residential look that will blend into the surrounding community. There will be lush landscaping and mounted perimeter landscaping where the parking lot will not be seen. It will not be a commercial site or lease office space. The facility will be used for research, patient care and out-patient surgery.

C BILL CHRISTY, 2305 Karly Drive, resides near the proposed project. He pointed out that the property owner was given the opportunity to include it within the Scotch 80s Neighborhood with internal access, but refused that opportunity in order to improve their financial prospects with the parcel. Oakey Boulevard has always been residential from I-15 to Decatur Boulevard and asked that it remain that way. Secondly, the traffic in this area is constantly backed up from the intersection of Rancho Drive and Oakey Boulevard and it is difficult exiting Karly Drive. Adding 70 cars every half hour coming for doctor appointments would overburden this intersection. MR. CHRISTY remarked that the City beautified Alta Drive and asked that the same consideration be given to Oakey Boulevard and not allow any other use other than what exists.

TODD FARLOW, 240 North 19th Street, stated that area should remain residential.

C BOB APPLE, 1405 Strong Drive, emphasized that Oakey Boulevard has been a residential neighborhood for a long time. The proposed project will be inappropriate for this neighborhood. He represents the Charles McNeal Neighborhood Preservation Association. He was involved in the 2001 Planning Development Land Use study and agrees with staff recommendations.

SHARON FRIEND, 2211 Bannie Lane, submitted a protest petition and asked that the Planning Commission deny the request.

JIM CHRISTENSEN, 2707 Bryan Avenue, concurred with staff recommendations and pointed out that academic and out patient seems inconsistent. The proposed business will increase traffic at that intersection and it is not appropriate to the nature and character of this residential neighborhood.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 28 – SDR-3982

MINUTES – Continued:

MICHAEL GREENE, 2209 Bonnie Brae Avenue, objected to the proposed change.

DAVID CLARK, 2401 Laurie Drive, opposed the proposed project. The neighborhood has single family dwellings and there are other suitable sites north of Charleston Boulevard where this project could be built.

KRISTA TYE, 2400 Laurie Drive, objected to the project and expressed concern that the increased traffic would impact a nearby City park and would create a safety issue.

THOMAS PITTMAN, 2300 Lasolana Way, stated that the proposed project should not be considered as a commercial or professional zoning because there are many children and the traffic would increase.

BETTY GONNIE, 2420 Laurie Drive, indicated that there have been many serious and fatal accidents at Rancho Drive and Oakey Boulevard.

SUE GOLD, 2416 Laurie Drive, stated that she has resided in this neighborhood for 30 years and wants it to remain as such. She indicated that she and her husband had the signal installed at the intersection of Oakey Boulevard and Rancho Drive. It is very difficult to get out of her residential cul-de-sac because of the increased traffic, and this project would add to that problem.

DIANA VASQUEZ, 1301 South Rancho Drive, opposed the commercial project. She suggested that the applicant look at the other three parcels.

D. HOPPER, 2908 Burton Avenue, pointed out that the heavy traffic on Rancho Drive makes it difficult for people to get out of their cul-de-sacs, creating a safety issue.

RICHARD THRELFALL, Architect, 6512 West Diablo Drive, stated that these three properties have been isolated from the residential portions to the east. All three properties have direct access onto Rancho Drive. These properties have never been developed and he is not aware of the reason why they were never sold. There are no sidewalks, proper curb and gutter and it is a safety issue for children who attend a nearby school. The proposed commercial development would develop all three lots, adhere to all landscaping requirements and provide street improvements. There would be a right-hand turn only to be used as entry and exit. There is the possibility of installing an island. Most of the traffic coming down Rancho Drive comes from other sources. The project will have seven spaces above what is required for a medical office.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item – 28 – SDR-3982

MINUTES – Continued:

There will be owner/tenant, which would guarantee maintenance, and it will be a daytime use only. If the property is left residential, there will not be any street improvements. In addition, there might be as many as three separate driveways and three separate garages creating a hazard for people trying to back up onto to Rancho Drive. There would not be any guarantees on landscaping. There is no guarantee that all three lots would be developed residential simultaneously. However, the proposed project will develop all three lots and resolve the issue of leaving the parcels vacant.

COMMISSIONER EVANS commented that one of the major goals of the Rancho/Charleston Land Use Study and Strategic Plan is to protect the existing residential neighborhood from any additional encroachment by commercial and or office use. He hopes that this does not open this particular corridor as spot zoning. The Glen Heather, McNeal Estates and the Scotch 80s are magnificent neighborhoods and office and commercial are not appropriate. Therefore, he would not support all of the applications.

COMMISSIONER McSWAIN concurred with COMMISSIONER EVANS. Many of homes are being renovated and the neighborhood has taken care of itself. It is unfortunate that these three parcels were left out. She stated she could not support the request.

COMMISSIONER STEINMAN stated that the owners of these properties made a mistake many years ago excluding themselves from the adjacent neighborhoods. He is extremely impressed with this area because it is a prime old Las Vegas area and it cannot be broken. Therefore, he did not support the applications.

COMMISSIONER DAVENPORT indicated that the proposed project would be in the heart of residential, therefore, he would not support the project.

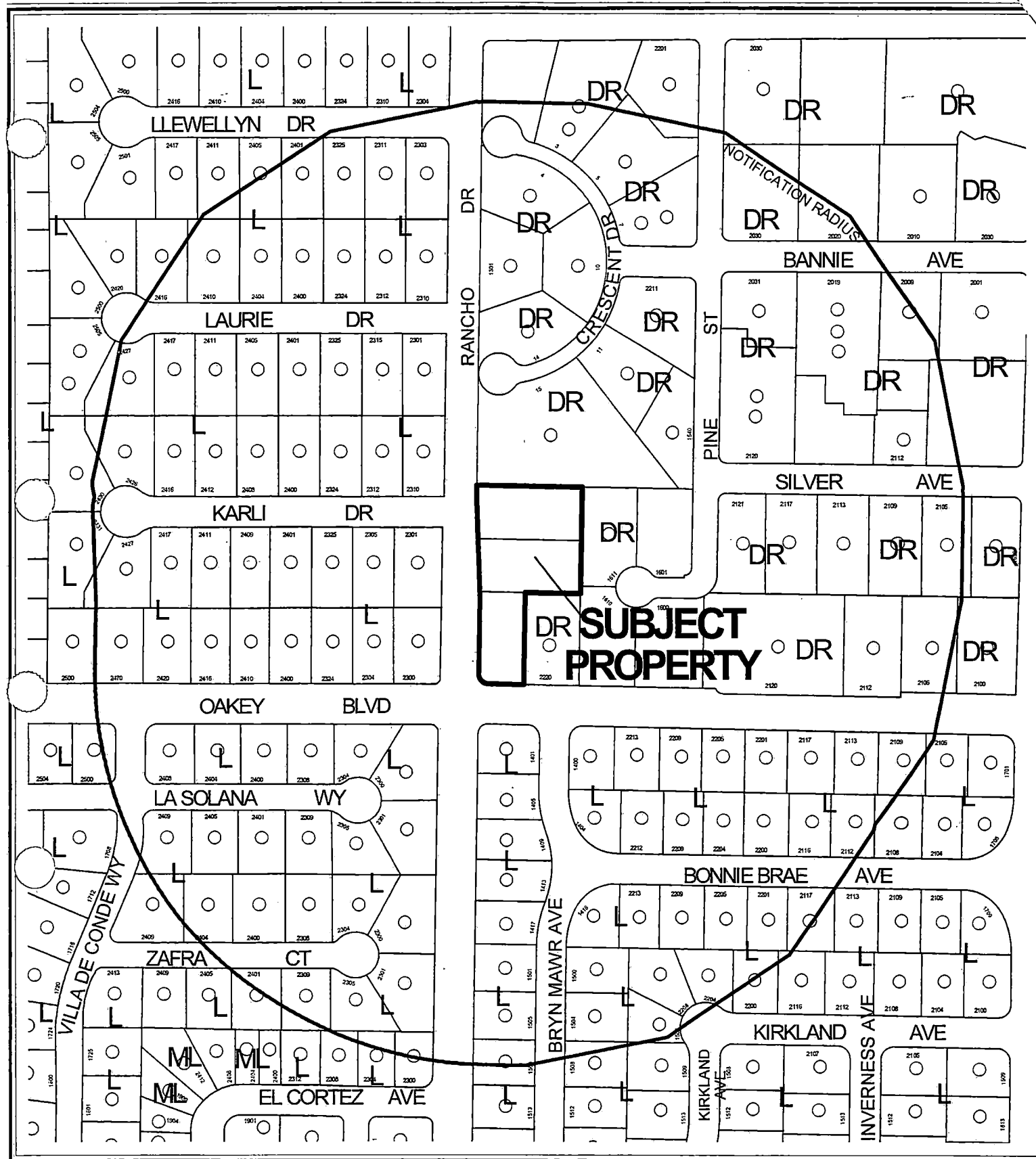
CHAIRMAN TRUESDELL commented that it is unfortunate that the property owners did not do something more proactive years ago to be part of the residential. He would not have a problem supporting commercial on Charleston Boulevard, but this is a very difficult infill piece and it needs to find a residential solution. Therefore, he would not support the requests.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 28 [GPA-3977], Item 29 [ZON-3981] and Item 30 [SDR-3982].

NOTE: All discussion for Item 28 [GPA-3977], Item 29 [ZON-3981] and Item 30 [SDR-3982] was held under Item 28 [GPA-3977].

(7:14 – 7:44)

1-2956/2-1



CASE: GPA-3977

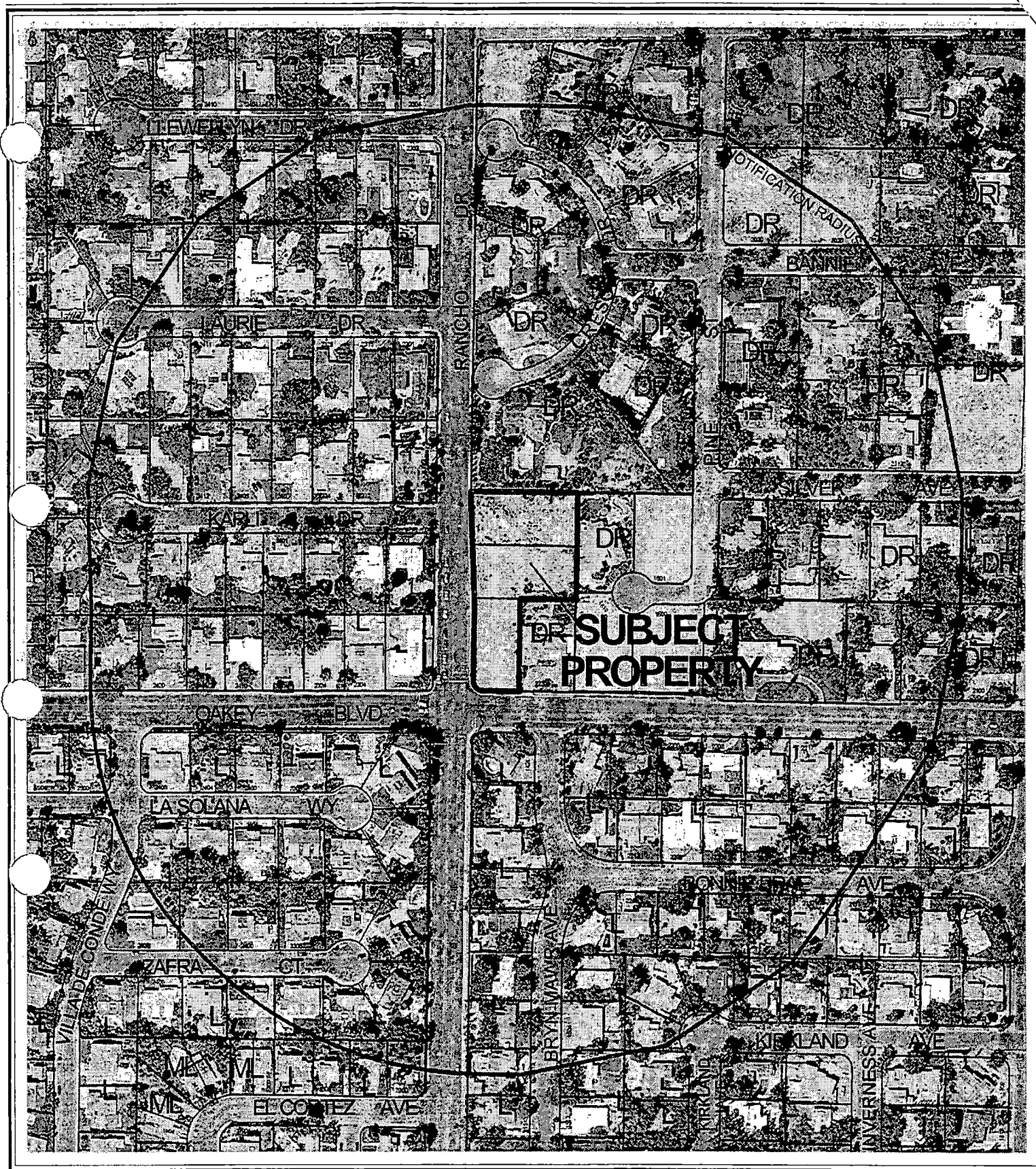
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)



CASE: GPA-3977

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS:
HELEN GOULETTE, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

DDS

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject 1.38 acre property located at the northeast corner of Rancho Drive and Oakey Drive from DR (Desert Rural Density Residential) to O (Office). A rezoning application (ZON-3981) and site development plan (SDR-3982) accompany this application.

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses with a maximum density of three dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.
- 09/06/99 The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 06/19/02 The City Council approved the Rancho Charleston Land Use Study and Strategic Plan. On this plan the subject property was designated for Rural Density Residential land uses with a maximum density of two dwelling units per acre.
- 10/01/03 The City Council approved an update of the Southeast Sector Map (GPA-2497) of the city of Las Vegas General Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre.
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.

DETAILS OF APPLICATION REQUEST

Site Area: 1.38 Acres

EXISTING LAND USE

Subject Property Undeveloped
 North Single family residential
 South Across Oakey Boulevard, Single Family Residential
 East Single family residential
 West Across Rancho Drive, Single Family Residential

PLANNED LAND USE

Subject Property D-R (Desert Rural Density Residential)
 North D-R (Desert Rural Density Residential)
 South Across Oakey Boulevard, D-R (Desert Rural Density Residential)
 East D-R (Desert Rural Density Residential)
 West Across Rancho Drive, D-R (Desert Rural Density Residential)

EXISTING ZONING

Subject Property R-E (Residence Estates)
 North R-E (Residence Estates)
 South Across Oakey Boulevard, R-E (Residence Estates)
 East R-E (Residence Estates)
 West Across Rancho Drive, R-E (Residence Estates)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER	X	
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

DR (Desert Rural Density Residential) (0 to 2.0 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle in this classification is single-family homes on large lots.

O (Office)

The Office category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

RPN (Rural Preservation Neighborhood)

An area identified by Chapter 278 of the Nevada Revised Statutes where residential development density is limited to two dwelling units per acre.

RPN Buffer

A 330-foot transitional buffer for a Rural Preservation Neighborhood identified by Chapter 278 of the Nevada Revised Statutes. Within these buffer areas, residential development density is limited to three dwelling units per acre, unless good cause is shown.

INTERAGENCY ISSUES

None.

ANALYSIS

A major land use study was undertaken in 2001 out of concern with increasing interest to develop many of the vacant lots in the Rancho - Charleston corridor for office use. Consequently, the Rancho Charleston Land Use Study and Strategic Plan was adopted June 19, 2002. As stated in the Plan, the major goal is to: "Protect the existing residential neighborhoods from any additional encroachment by commercial and / or office uses (page 21)."

The Rancho Charleston Land Use Study and Strategic Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it's classified. The applicant has presented no justification for altering the plan.

The subject proposal would create an "island" of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. Changing the land use classification and rezoning the property to a commercial classification may be tantamount to an action of illegal "spot zoning." Such action is permissive only when it is not contrary to the General Plan and when there is reason to distinguish between the subject property and adjoining properties. The staff was not able to make that distinction.

The subject property is located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN located immediately to the north, east, and south. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. The staff could not find good cause for varying from the provisions of this law.

FINDINGS

Title 19.18.030.I 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;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies which include approved neighborhood plans.

As to condition number "1," a compatibility issue exists when commercial development is introduced to a residential area. Office development is less intensive than many other commercial uses, but it is more intensive than residential development, when considering the associated activities with a business.

Likewise, there is a problem in satisfying condition number "2" for the same reasons indicated for condition number "1."

In regard to condition number "3," public facilities and infrastructure presently exist to support commercial development. Access would be directly to Rancho Drive or Oakey Boulevard. The property is within 1½ miles of a fire station at 1020 Hinson Street and approximately two miles of a police station at 4th Street and Clark Avenue.

In regard to condition number "4," objectives and policies are addressed in the Rancho Charleston Land Use Study and Strategic Plan. As discussed above, the major goal is to: "Protect the existing residential neighborhoods from any additional encroachment by commercial and / or office uses (page 21)." The subject application is contrary to this goal.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/03/04 Approximately 40 to 60 people attended the meeting. Their concerns were stated as follows:

- Fear of the City creating a commercial corridor along Rancho Drive
- Traffic at Rancho/Oakey (concerned with 70 parking spaces added to congestion at the intersection)
- Overall concept of community will be disrupted
- Angry with past "city planners" for allowing three lots to become isolated, and creating this situation. Properties should have been included in cul-de-sac to the east within residential community

GPA-3977 - Staff Report Page Five
April 8, 2004 Planning Commission Meeting

- “Greedy” landowners and “greedy” agent wanting to make a profit without considering neighborhood needs
- Loss of property value in neighborhood

NOTICES MAILED: 154 (Mailed with ZON-3981 and SDR-3982)

APPROVALS: 0

PROTESTS: 5



STATEMENT OF FINANCIAL INTEREST

p:\deport\Application Packet\Statement of Financial Interest.doc



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: DR. JAS GROVER

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes ☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Heleen Gouletto

Print Name: Helen Goulette

Subscribed and sworn before me

This 6 day of FEB, 2004

Carol Bildenback
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-3977 APN: 162-04-210-102
Name of Property Owner: IBRAHIM BARLAS / LAURA K. BARLAS
Name of Applicant: DR JAS GROVER

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

Yes ☒ No ☐

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN:

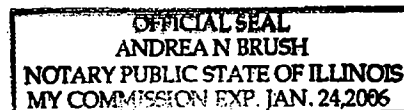
Signature of Property Owner/Authorized Agent: _____

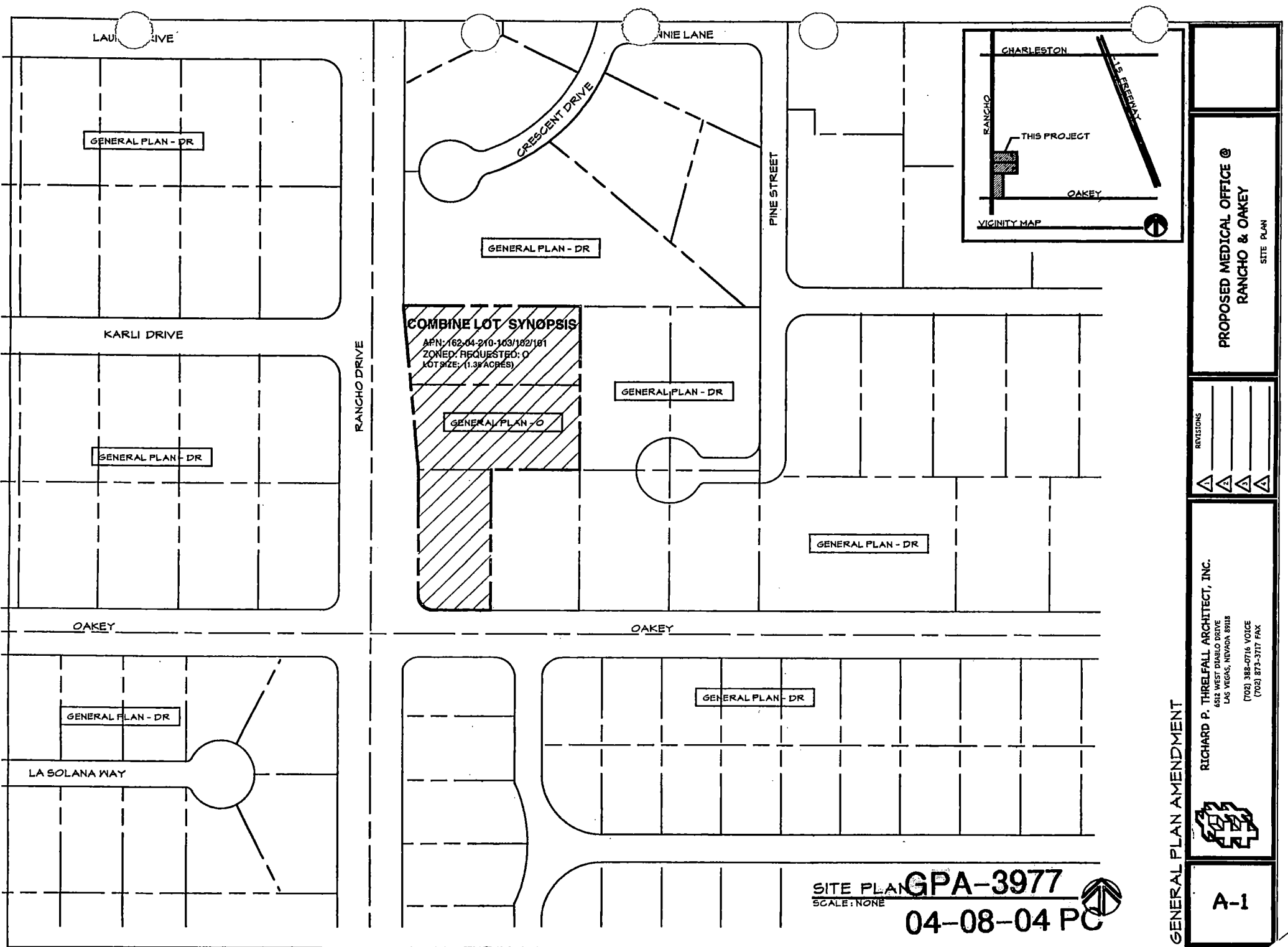
Print Name: _____

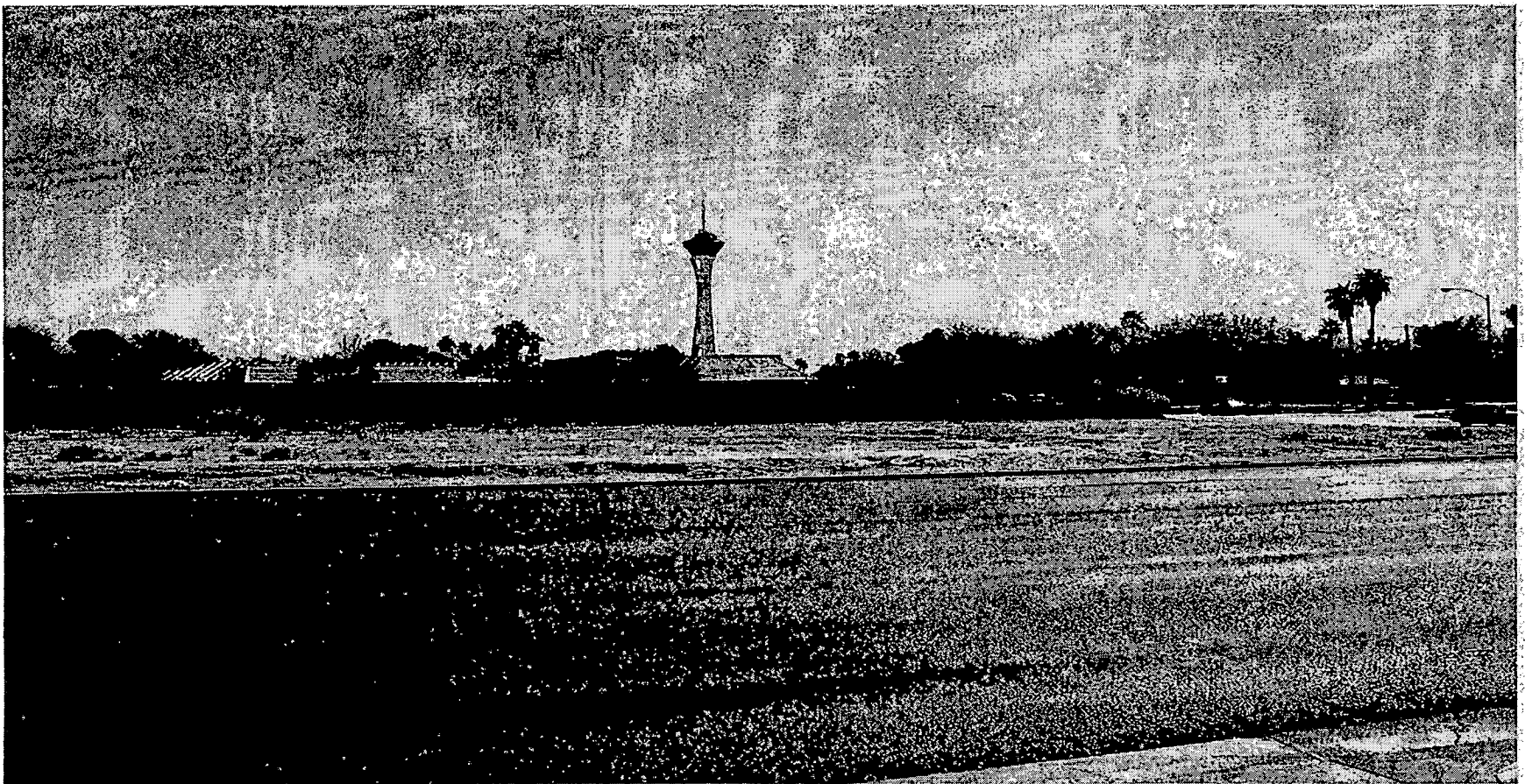
Subscribed and sworn before me

This 9th day of February, 2004

Notary Public in and for said County and State

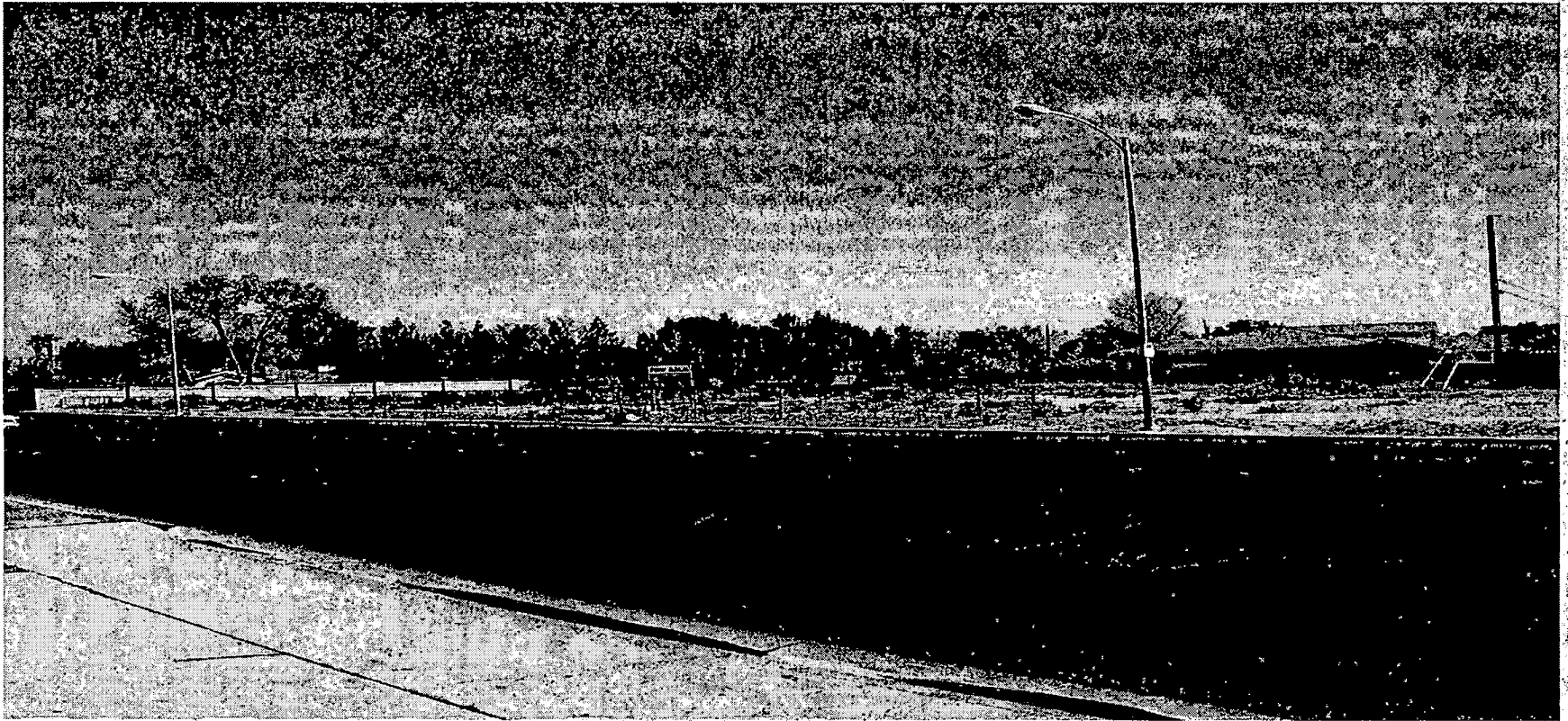






GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GPA-3977 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

MILTON I. SCHWARTZ
2293 DUNEVILLE STREET
LAS VEGAS, NV 89146

(702)383-6767 - Phone

(702)387-8770 - Fax

March 30, 2004

Planning and Development
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

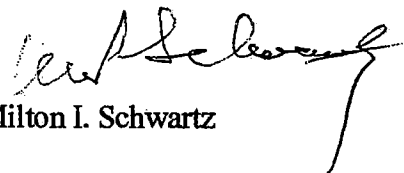
RE: GPA-3977

To Whom It May Concern:

I am a resident of Las Vegas residing at 2120 Silver Avenue, Las Vegas, NV 89102 the Northeast corner of Silver and Pine in the Scotch Eighties. I object to the "request to amend a portion of the Southeast Sector Plan of the general plan from: Dr (Desert Rural Density Residential) to: O (Office) on 1.38 acres adjacent to the Northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 Thur 103), Ward 1 (Moncrief)."

If you have any questions, please call me at (702)383-6767.

Cordially,


Milton I. Schwartz

RECEIVED
04 MAR 31 PM 3:59
DEVELOPMENT
GPA-3977
P

Anne L. Kellogg
2109 Bonnie Brae Drive
Las Vegas, Nevada 89102

Bob Genzer
Director
Planning Department, City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

March 17, 2004

Re: April 8, 2004 hearing for zoning change from residential to commercial
Property located at Rancho Drive and Oakey Boulevard for 10,000 square-foot medical office, 70 parking spaces

Dear Mr. Genzer,

As a life-long resident of Las Vegas, I believe the rezoning of the land at Rancho Drive and Oakey Boulevard is a terrible idea however unfortunate it is to have it sit there vacant for all these years. I currently live in Glen Heather estates, a few hundred feet away from this project that I believe would be a true detriment to the neighborhoods surrounding it.

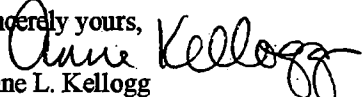
I respectfully request that you and the city oppose this project on the following grounds:

- A 10,000 square-foot medical facility with 70 parking spaces is not an appropriate use of the property. (That is too similar to every Sav-On, CVS and Walgreen in the city, even if this is only to be used during normal business hours.)
- It will create more traffic on an already heavily trafficked street in the city where leadership really should be looking at ways to decrease traffic congestion.
- The majority of the neighbors are not in favor of this project.
- If approved and built, the medical facility will be a cancer that leads to rezoning plights by the majority of the landowners on the west side of Rancho Drive which will further erode the entire area.

Mr. Genzer, I believe Glen Heather Estates, Rancho Bonito, Scotch 80s, McNeil and Westleigh are going through an urban renaissance with many young people and families moving into this area who are looking for more traditional neighborhood settings than offered in the outlying areas. This is a slow process that needs a chance to grow into something wonderful.

It is my understanding that a team of developers (lead by the Nigros) looked to purchase these properties when it was working on a cul-de-sac development abutting this land in Scotch 80s several years ago. We should not be punished because three land-owners chose not to build or sell the properties in the past when chances were available to them.

I am not an advocate of having undeveloped properties in the urban core of Las Vegas. In fact, I will wholeheartedly support any residential use for the property (including a fourplex or duplex). This medical building project simply does not work and will disrupt the area. Please consider rejecting the rezoning.

Sincerely yours,

Anne L. Kellogg

CC: Chair, Richard Truesdell
Commissioner, Todd Nigro
Commissioner, Byron Goynes
Commissioner, Laura McSwain
Commissioner, Steven Evans

Commissioner, Leo Davenport
Commissioner, David Steinman
Mayor, Oscar Goodman
Councilwoman, Janet Montcrief
Councilwoman, Lynette McDonald

Councilman, Gary Reese
Councilman, Larry Brown
Councilman, Lawrence Weekly
Councilman, Michael Mack

GPA-3977
ZON-3981
STR-3982 P

Hal & Pat Drury
1400 Bryn Mawr Avenue
Las Vegas, NV 89102
Phone: 474-0081 Fax: 474-4254

FAX TRANSMISSION

To: Bob Genzer, Director, Planning Department
Re: Doctor's Office Complex GPA-3977, SDR-3982 and Zon-3981
Fax: 382-8558
Date: March 26, 2004

Number of Pages: 1

Comments: Mr. Genzer

Please vote NO on the above mentioned proposed zone change.

This fax is being sent to you because of our grave concern for the proposed zoning change. Our major concern is an increase in the already heavy traffic flow on Rancho and Oakley. We already have all the noise we can stand with boom boxes, sirens, motorcycles with inadequate muffler systems and cars breaking down and coming to our door asking for help or to use the phone. These are not isolated incidences; this occurs several times a week.

We have noticed the poor construction techniques used by the builders in the area. We don't need another throw up building made of wood chips and stucco. If you look in the Rancho/Oakley area, all the homes are solid construction using brick and large wooden beams in their construction. We feel the building proposed would be blight on this historic section of Las Vegas.

Three Problems:

- Trashy construction
- Traffic problems
- Commercial building in a residential neighborhood

Again, we strongly urge you to vote NO and help preserve an historic neighborhood and save our property values.

Hal Drury

P
GPA-3977
ZON-3981
SDR-3982

Roger and Sandra Kreml
1901 Calanda Ct.
Las Vegas, NV 89102

RECEIVED
04 APR -5 AM 8:20
DEVELOPMENT

April 1, 2004

Planning Department
Bob Genzer, Director
731 S. 4th Street
Las Vegas, NV 89101

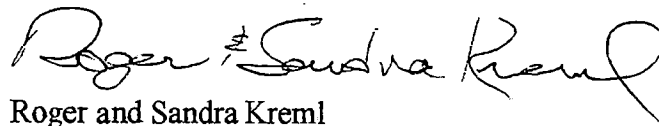
Re: Re-zoning of the Northeast Corner of Rancho and Oakey
(GPA-3977; SDR-3982; ZON-3981)

Dear Mr. Genzer:

We are homeowners that live within 500 yards of the corner at Rancho and Oakey. We vehemently object to the re-zoning of this corner lot for a doctor's office, or any commercial development for that matter. The neighborhoods at all four corners of this intersection are older, vital, thriving residential communities. This area is an attractive residential area. Homes in our area are well maintained, and often are significantly re-modeled and upgraded. But we cannot maintain the quality of our neighborhoods against the insidious invasion of commercial development and resulting increase in traffic, heavy as it already is.

You KNOW that approving this re-zoning would be the "nose of the camel under the tent" signaling the initial real deterioration of our residential enclave in the center of Las Vegas. Approving the re-zoning of this corner will open wide the flood-gates of development up and down Rancho between Charleston and Oakey.

Please do not approve this re-zoning. Leave a quality residential area in central Las Vegas alone.


Roger and Sandra Kreml

GPA-3977
ZON-3981
SDR-3982
P

1800 Silver Ave.
Las Vegas, NV 89102
March 30, 2004

Tel: 702-474-4477
Fax: 702-474-9420
eoparker@aol.com

Bob Genzer
Director, Planning Department
731 S. 4th St.
Las Vegas, NV 89101

Tel: 229-6301

Re: Please Do Not Approve Commercial Zoning in Residential Area (GPA-3977, SDR-3982, ZON-3981) (Northeast corner of Rancho Dr. and Oakley Blvd.)

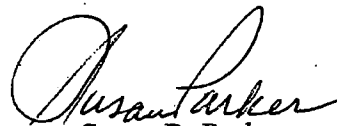
Dear Mr. Genzer,

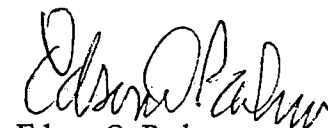
Please do not approve the above requests for change in zoning. There is no greater responsibility of the Planning Department than to protect the integrity and quality of life in a residential neighborhood from unwarranted commercialization. Several years ago, when the Planning Commission and City Council, against the wishes of local residents, approved the zoning change and commercial project on the east side of Rancho, just south of Charleston, we were told, "After this one variance, we will not allow any more commercial establishments on Rancho between Charleston and Sahara." If approved, it will be only the first of a domino effect along Rancho, until all the houses become commercial establishments, as has occurred along Jones.

We know that Las Vegas is growing. We also know that proper planning of growth is designed to protect the integrity of residential neighborhoods and provide appropriate placement of commercial enterprises. Rezoning residential property to allow intrusion of a commercial business in a group of long-established residential neighborhoods is not appropriate, at all. In this case, it is intrusion into one of the oldest and most beautiful group of neighborhoods left in Las Vegas - Scotch Eighties, McNeil Estates, Rancho Bonito and Glen Heather.

Your responsibility as the Director of the Department of Planning is not only to protect residential neighborhoods from deterioration, it is also to promote stability and beautification in those areas. With that in mind, it just might be time to revisit the concept, as discussed with previous administrations, of the City purchasing the property site in question and making it a "pocket park". This pocket park would not only beautify a long-standing eyesore, but would remove it as a target forever from those interested only in maximizing profit at the expense of destroying the remaining few long-established and well-maintained lovely residential areas in Las Vegas.

Sincerely,


Susan R. Parker


Edson O. Parker

GPA-3977
ZON-3981
SDR-3982
P

DEVELOPMENT

04 APR -5 AM 8:20

RECEIVED

Karli

Oakey and Rancho Development

We are residents of Karli Drive who object to the proposed Medical Center on Rancho. It is extremely difficult for us to make a left turn on ^{Rancho} Oakey now. Our street and the streets north of us are dead end streets with one way out. Putting a development there with a driveway on Rancho would make it almost impossible for us to get out. In addition a small amount of rain almost always floods the corner of Rancho and Oakey making it difficult to make a right turn there. More buildings and parking places would exacerbate the flood problem giving us no exit. In short we object to any zone change from residential.

NAME	ADDRESS	PHONE NUMBER
Marjorie Leahy	2312 Karli Dr	259-3194
James H. Smith	2312 KARLI DR.	
Jacqueline Johnson	2301 KARLI DRIVE	
Benny Smith	2325 Karli Dr	326360
2324 Eric W. Smith	12324 KARLI DR.	8776830
2400 Paul Blonsky	2400 Karli Drive	259-1994
Jeffrey Foerster	2409 Karli Drive	
2405 AL CHNEIDER	2405 KARLI DRIVE	3036986
Jo Bourgeois	2401 Karli Dr.	870-0136
2417 Denise Brown	2411 KARLI DR	878-3209
Bruce Ray	2417 KARLI DR	501-2406
Rita Wood	2426 KARLI DR	870-2897
2430 Thomas Clark	2431 Karli Dr	296-2107
2431 John Marino	2427 KARLI DR	870-0941
2427 Susan J. Maine	2416 Karli Dr	259-9580
2416 John Crockett		
2412 Raymond Caldwell	2408 Karli Dr	259-0862
William Clardy	2305 Karli Dr.	871-5850
Amber Farley	2305 Karli Dr.	871-5850
Phil Zimmer	2310 Karli Dr	471-7161
Phyllis Crockett	2412 Karli	877-9080

Submitted at Planning Commission

Date 4/8/04 Item #28-30

Oakey and Rancho Development

We are residents of Laurie Drive who object to the proposed Medical Center on Rancho. It is extremely difficult for us to make a left turn on Oakey now. Our street and the streets around us are dead end streets with one way out. Putting a development there with a driveway on Rancho would make it almost impossible for us to get out. In addition a small amount of rain almost always floods the corner of Rancho and Oakey making it difficult to make a right turn there. More buildings and parking places would exacerbate the flood problem giving us no exit. In short we object to any zone change from residential.

NAME	ADDRESS	PHONE NUMBER
Andrew P. Kyte	2310	702-438-5739 ✓
Janet Gentile	2324	(702) 808-2157 ✓
J. Rivera	2410	(702) 878-1928 ✓
Betty L. Munn	2420	878-8538 ✓
B. S. S. S.	2500	360-1855 ✓
Charles F. S. S.	2505 Laurie	877-2943 ✓
Michael S. S. S.	2427	313-3994 ✓
Bill K. S. S.	2411	258-1966 ✓
David Clark	2401	259-4692 ✓
	2325	
	2315	
Renee Pollen	2606 Mason Ave	(702) 897-5400 ✓
Michael S. Pollen	2606 MASON AVE	(702) 897-5400

Rancho Donito

We the people who live in the areas surrounding the intersection of Rancho and Oakley are opposed to the rezoning of the property on the attached Architectural rendering, to Professional, which will be heard by the Planning Department on April 8, 2004. All areas abutting these parcels are zoned for residential use. The traffic count is all ready high and we don't want more traffic or parking on our neighborhood streets. The undersigned residents ask that you keep the highest and best use of this property as it is, residential.

PLEASE SIGN

NAME	ADDRESS	PHONE
1. Carolyn Reingruber	2408 Zafra	876-7444 ✓
2. ELAINE KLAIR	2309 ZAFRA	257-9038 ✓
3. ELLIOTT KLAIR	2309 ZAFRA	251-9028 ✓
4. Mark + Joni Yandril	2401 Zafra	367-1863 ✓
5. Rex Bell	1231 Shadow Ln	Scottd Elyth ✓
6. Bill Christy	2305 Karli Drive	871-5850 McNeil ✓
7. Donald Mosley	1127 Westlund Dr	455-4304 ✓
8. JAMES GUINN	2312 KARLI DR.	259-3194 ✓
9. PAT + SHIRLEY	SOMPHONE 2304 LA SOLANA WAY	871-8432 ✓
10. Thomas Pittman	2300 LA SOLANA	873-7022 ✓
11. JJ	2408 LA SOLANA	873-7022 ✓
12. Jonnie Knebel	2405 Zafra Ct.	873-9862 ✓
13. Helen Singh	2308 Zafra Ct.	876-0227 ✓
14. Sharon Schaff	1912 Realeza Ct	7916-7100 ✓
15. Alana Saxe	1911 Realeza Ct.	258-7810 ✓
16. Rachel R. Spindler	1920 Realeza Ct.	257-1614 ✓
17. Thomas C. Yee	1921 Realeza Court, 89102	222-1885/813-3888 ✓
18. Lucia Dadoornin	1901 Realeza Ct.	unlisted ✓
19. Marla Smith	1790 Villa de Conde Wy	876-3091 ✓
20.		
21.		
22.		
23.		

Rancho Bonito

We the people who live in the areas surrounding the intersection of Rancho and Oakley are opposed to the rezoning of the property on the attached Architectural rendering, to Professional, which will be heard by the Planning Department on April 8, 2004. All areas abutting these parcels are zoned for residential use. The traffic count is all ready high and we don't want more traffic or parking on our neighborhood streets. The undersigned residents ask that you keep the highest and best use of this property as it is, residential.

PLEASE SIGN

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2. ELAINE KLAHN	2309 ZAFRA	257 9038 ✓
3. ELLIOTT KLAHN	2309 ZAFRA	251 9038 ✓
4. Mark & Joni Yandritz	2401 Zafra	367-1863 ✓
5. Rex Bell	1231 Shadow Ln	Scotd Eight ✓
6. Bill Christy	2305 Karli Drive	871-5850 McNeil ✓
7. Donald Mosley	1127 Westlund Dr	455-4304 ✓
8. JAMES GUINN	2312 KARLI DR.	259-3194 ✓
9. PAT & SHIRLEY SOMPHONE	2304 LA SOLANA WAY	871-8032 ✓
10. Thomas Pittman	2300. LA Solana.	873-7022 ✓
11. CC	2408 LA Solana	873-7022 ✓
12. Jonnie Kaeber	2405 Zofra Ct.	873-9862 ✓
13. Jim & Carole Linhart	1716 Villa De Conde Way	365-0190 ✓
14. DAVID E. MAY	1725 Villa Delcondelway	248-0929 ✓
15. KEAT C KILTY	181 Villa De Conde Way	248-1904 ✓
16. Terry Hunt	2501 Fulano Way	256-0714 ✓
17. ROBERT BONDONNO	2505 "	2277239 ✓
18. Mrs. Margaret Moore	2505 "	873 1887 ✓
19. Mr & Mrs Jack Pross	2509 "	UNLISTED ✓
20. Theola Moran	2504 Callito Ct.	UNLISTED ✓
21. Cu Gumpert	1708 VILLAGE CONDE WAY	✓
22. Carol Anne Campbell	2500 La Solana W	871-2971 ✓
23. Omar & Melanie Abderrahman	2509 La Solana way	897 1560 ✓

same as prev.

24. ~~Reese C Reese~~ 1713 Adria Ct ✓
25. Monterey Brookman 1725 Adria Ct ✓
26. ~~Joe Brookman~~ 1725 Adria Ct 368-7887 ✓
27. Raymond Hale 1724 Adria Ct. ✓
28. ~~Alvaro Altevogt~~ 1708 Adria Ct UNLISTED ✓
29. Paul Mykeller 1712 Adria Ct. 655-8316 ✓
30. Steve Tra 1709 RAMBLA Ct. 645-8815 ✓
31. ~~Delita Jones~~ 1713 RAMBLA CRT. 693-6334 ✓
32. Keeri Jones 1713 Rambla Ct. 693-6334 ✓
33. David D. Hilton 1720 Rambla Ct 220-7666 889-3522 ✓
34. ~~John Ferguson~~ 2512 La Solana Way ✓
35. ~~Harry Ferguson~~ 3512 La Solana Way 889-3522 ✓
36. Mark Stangor 2716 La Solana Way 876-6829 ✓
37. ~~Elmer Aguillon~~ 2717 La Solana Way 450-0006 ✓
38. Duane Krohn 1709 Mora Ln 873-2977 ✓
39. Audrey Krohn 1709 Mora Lane 873-2977 ✓
40. Sam Kyu Lim Starkey 1717 Mora Ln L.V. NV 89102 ✓
41. ~~Dave DeMasi~~ 2716 Bayo Ct. LV NV 89102 ✓
42. Sachiko Sharpe 2720 Bayo Ct. LV NV 89102 ✓
43. ~~Millie Stetson~~ 2724 Bayo Ct. 89102 ✓
44. ~~Lillian Anderson~~ 2732 Bayo Ct. 89102 ✓
45. ~~Alvin On~~ 2740 Bayo Ct. 89102 ✓
46. ~~Donald On II~~ 2740 Bayo Court 89102 ✓
47. Jerry Russell Graf 2741 Bayo Ct. 89102 864-3112 ✓
48. DANNY WELLS 2733 BAYO CT. 89102 ✓
49. Andreas Duff 2604 Fulano Wy 89102 ✓
50. Diane Gardiner 1900 Realiza Ct. 89102 ✓

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3977 AND SDR-3982 - PUBLIC HEARING - ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL -
Request for a Rezoning FROM: R-E (Residence Estates) TO: P-R (Professional Office and Parking) on 1.38 acres located adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

111

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS

To be heard by the City Council on 5/5/2004

NOTE: COMMISSIONER McSWAIN disclosed that her grandfather at one time lived in the area.

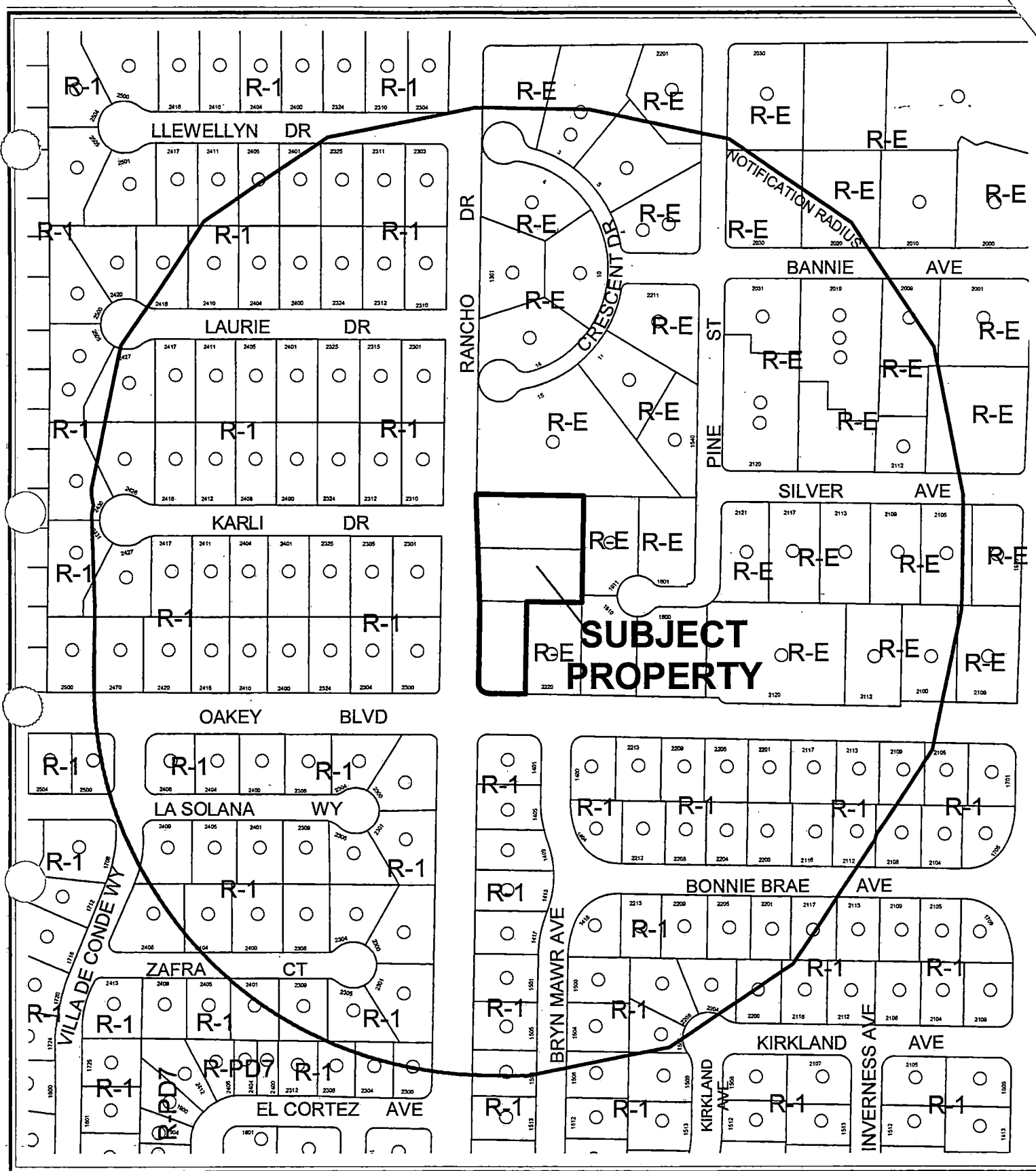
NOTE: COMMISSIONER DAVENPORT disclosed that he does not have a conflict, even though one of his election signs is on the property. He has a contract with the sign company who puts the signs wherever they choose.

MINUTES:

NOTE: See Item 28 [GPA-3977] for all related discussion.

(7:14 – 7:44)

1-2956/2-1



CASE: ZON-3981

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

**PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)**



CASE: ZON-3981

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: REZONING RELATED TO GPA-3977 AND SDR-3982 -
PUBLIC HEARING - ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS:
HELEN GOULETTE, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. A General Plan Amendment (GPA-3977) to an O (Office) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-3982) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site.
5. Grant a Traffic Signal Chord Easement at the northeast corner of Rancho Drive and Oakey Boulevard prior to the issuance of any permits for this site; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents.
6. Construct all incomplete half-street improvements on Rancho Drive and Oakey Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

ZON-3981 - Conditions Page Two
April 8, 2004 Planning Commission Meeting

8. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from R-E (Residence Estates) to P-R (Professional Office & Parking) on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Boulevard. Companion applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and for a Site Development Plan Review (SDR-3982) for a proposed 11,200 square-foot medical office will be considered concurrently.

B) Applicant's Justification

The applicant has justified the request by stating that the intent is to create a practical use for three empty residential lots that have very undesirable and isolated locations within an older neighborhood. The applicant feels that the lots, which all border along Rancho Drive, will not be developed as residential property because the only access to them is directly off Rancho Drive and that they have no real relationship or association with the surrounding existing neighborhood. The proposed Rezoning will facilitate the development as proposed.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history associated with this site.

04/08/04 The Planning Commission will review companion applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and for a Site Development Plan Review (SDR-3982) for a proposed 11,200 square-foot medical office.

B) Pre-Application Meeting

02/02/04 The following comments were made at the meeting:

- No commercial uses exist anywhere in the area of predominately low-density residential uses and denial would be recommended.
- Transportation trail is required along the east side of Rancho Drive. There may be the possibility of reducing the width of the path to five feet, consistent with proposed new standards.
- Landscaping would be required around the building foundations; a waiver would be required if the six-foot standard could not be met.

ZON-3981 - Staff Report Page Two
April 8, 2004 Planning Commission Meeting

- There may be residential adjacency issues with properties to the south and east.
- One curb cut may be allowed to meet the 220-foot separation requirements

C) *Neighborhood Meetings*

03/03/04 A neighborhood meeting was held by the applicant pursuant to Code requirements for the companion General Plan Amendment. Approximately 40 to 60 people attended the meeting. The concerns raised were stated as follows:

- Fear of the City creating a commercial corridor along Rancho Drive.
- Traffic at Rancho/Oakey (concerned with 70 parking spaces added to congestion at the intersection).
- Overall concept of community will be disrupted.
- Residents angry with past "city planners" for allowing three lots to become isolated, and creating this situation. Properties should have been included in cul-de-sac to the east within residential community.
- Landowners and representatives wanting to make a profit without considering neighborhood needs.
- Loss of property value in neighborhood.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net acres: 1.38 Acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single-Family Dwelling
South: Across Oakey Boulevard, Single-Family Dwelling
East: Single-Family Dwelling
West: Across Rancho Drive, Single-Family Dwelling

C) *Planned Land Use*

Subject Property: D-R (Desert Rural Density Residential)
North: D-R (Desert Rural Density Residential)
South: Across Oakey Boulevard, D-R (Desert Rural Density Residential)
East: D-R (Desert Rural Density Residential)
West: Across Rancho Drive, D-R (Desert Rural Density Residential)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: Across Oakey Boulevard, R-E (Residence Estates)
East: R-E (Residence Estates)
West: Across Rancho Drive, R-E (Residence Estates)

E) General Plan Compliance

A major land use study was undertaken in 2001 out of concern with increasing interest to develop many of the vacant lots in the Rancho - Charleston corridor for office use. Consequently, the Rancho - Charleston Land Use Study and Strategic Plan was adopted June 19, 2002. As stated in the Plan, the major goal is to: "Protect the existing residential neighborhoods from any additional encroachment by commercial and / or office uses (page 21)."

The Rancho - Charleston Land Use Study and Strategic Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it's classified. The applicant has presented no justification for altering the plan.

The subject proposal would create an "island" of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. Changing the land use classification and rezoning the property to a commercial classification may be tantamount to an action of illegal "spot zoning." Such action is permissive only when it is not contrary to the General Plan and when there is reason to distinguish between the subject property and adjoining properties. Staff was not able to make that distinction.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		
Trails	X	
Study Area		
Rancho/Charleston Study Area	X	
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject property is located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN located immediately to the north, east, and south. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. Staff could not find good cause for varying from the provisions of this law.

A trail is required along the west side of the property along the east side of Rancho Drive. The development would have to provide a trail meeting the requirements of the Las Vegas 2020 Master Plan Transportation Trails Element.

ANALYSIS

A) Zoning Code Compliance

Development standards for the proposed P-R (Professional Office) zoning are outlined within Title 19.08 of the Zoning Code and are addressed as part of the Site Development Plan Review process. Analysis of landscaping requirements is also part of the review. The Planning Commission and City Council will review the development standards through consideration of the Site Development Plan Review (SDR-3982), a related item.

B) General Analysis and Discussion

The applicant has indicated in a letter of justification for the change in zoning that it is doubtful the property will develop for single-family residences because of their configuration, having frontage on Rancho Drive. This premise may be suspect since the area is a well-established large lot exclusive single-family residential area. Furthermore, with the three subject lots under single ownership, there is the opportunity to reconfigure the lots in such a way that they would be more desirable for residential purposes.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The existing General Plan designation of the subject site is DR (Desert Rural Density Residential), which allows a density of 2.0 units/gross acre. The applicant has filed a companion General Plan Amendment (GPA-3977), requesting amendment to the O (Office) designation. This land use classification is inconsistent with the General Plan. Accordingly, denial of the General Plan Amendment request is recommended.

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."

As discussed above, the uses permitted in the P-R (Professional Office) are not compatible with the existing large lot single-family dwellings that are located adjacent to the site.

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

The growth and development factors in the community do not indicate a need for the Rezoning to P-R for an office complex on this site. In addition, there are other locations with the appropriate zoning within Las Vegas that would allow a development such as this.

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."

Access to the site is proposed from Rancho Drive, which is depicted as a Secondary (80-foot) Collector road on the Master Plan of Streets and Highways. This road contains sufficient capacity to serve the proposed development.

NOTICES MAILED 154 (Mailed with GPA-3977 and SDR-3982)

APPROVALS 0

PROTESTS 10



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3981 APN: 162-04-210-102

Name of Property Owner: IBRAHIM BARLAJ / LAURA K. BARLAJ

Name of Applicant: DR JAS GROVER

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes

No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

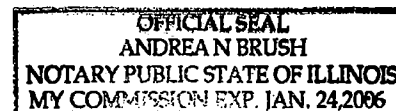
Signature of Property Owner/Authorized Agent: _____

Print Name: _____

Subscribed and sworn before me

This 9th day of February, 2004

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-3981 APN: 162-04-210-101

Name of Property Owner: SHERMA HARTZKE

Name of Applicant: DR JAS GROVER

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN _____

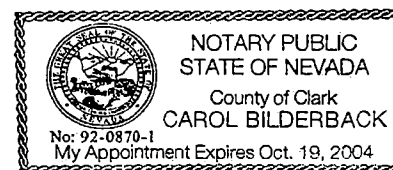
Signature of Property Owner/Authorized Agent: Shenna Walker

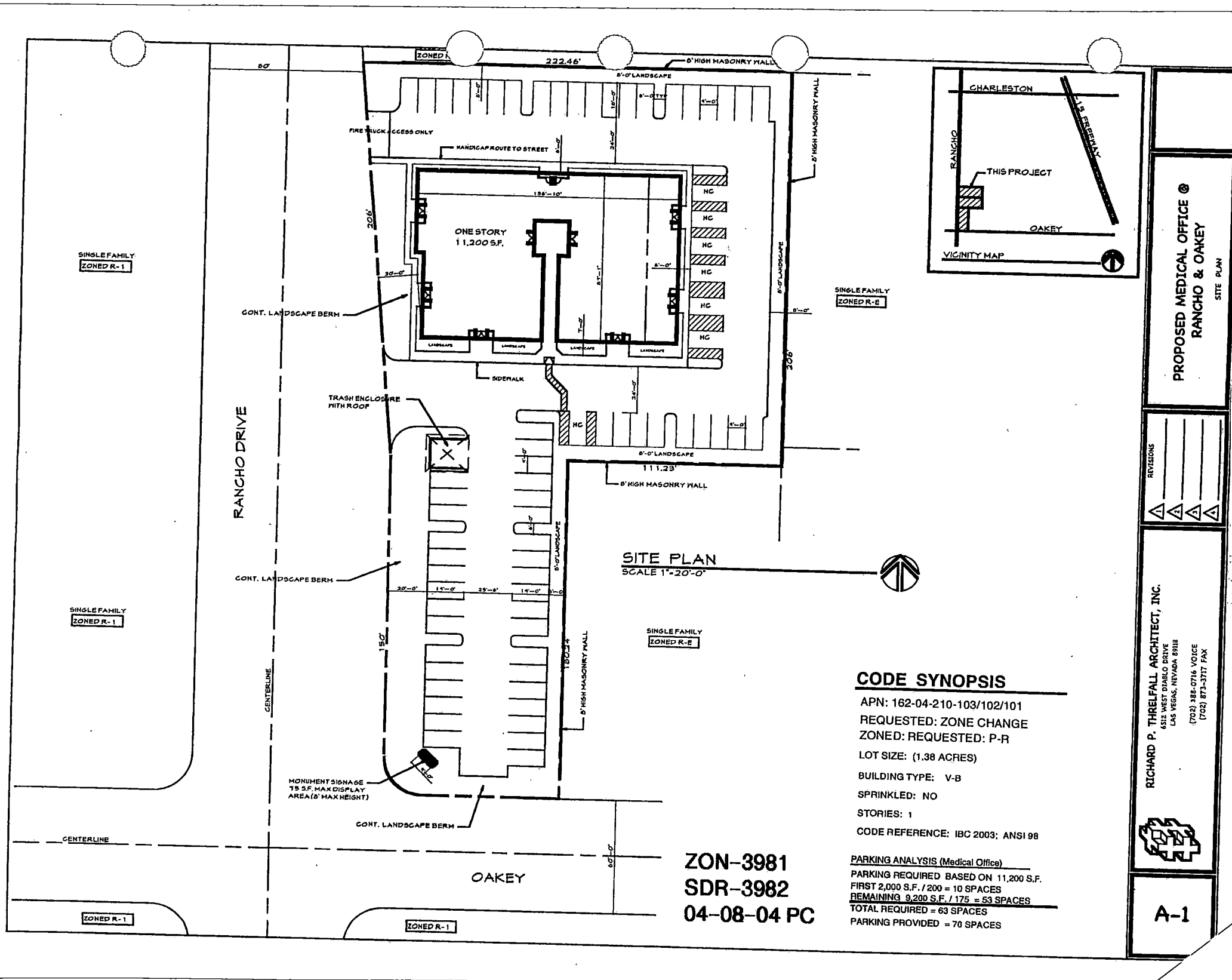
Print Name: SHERMA ARTZKE

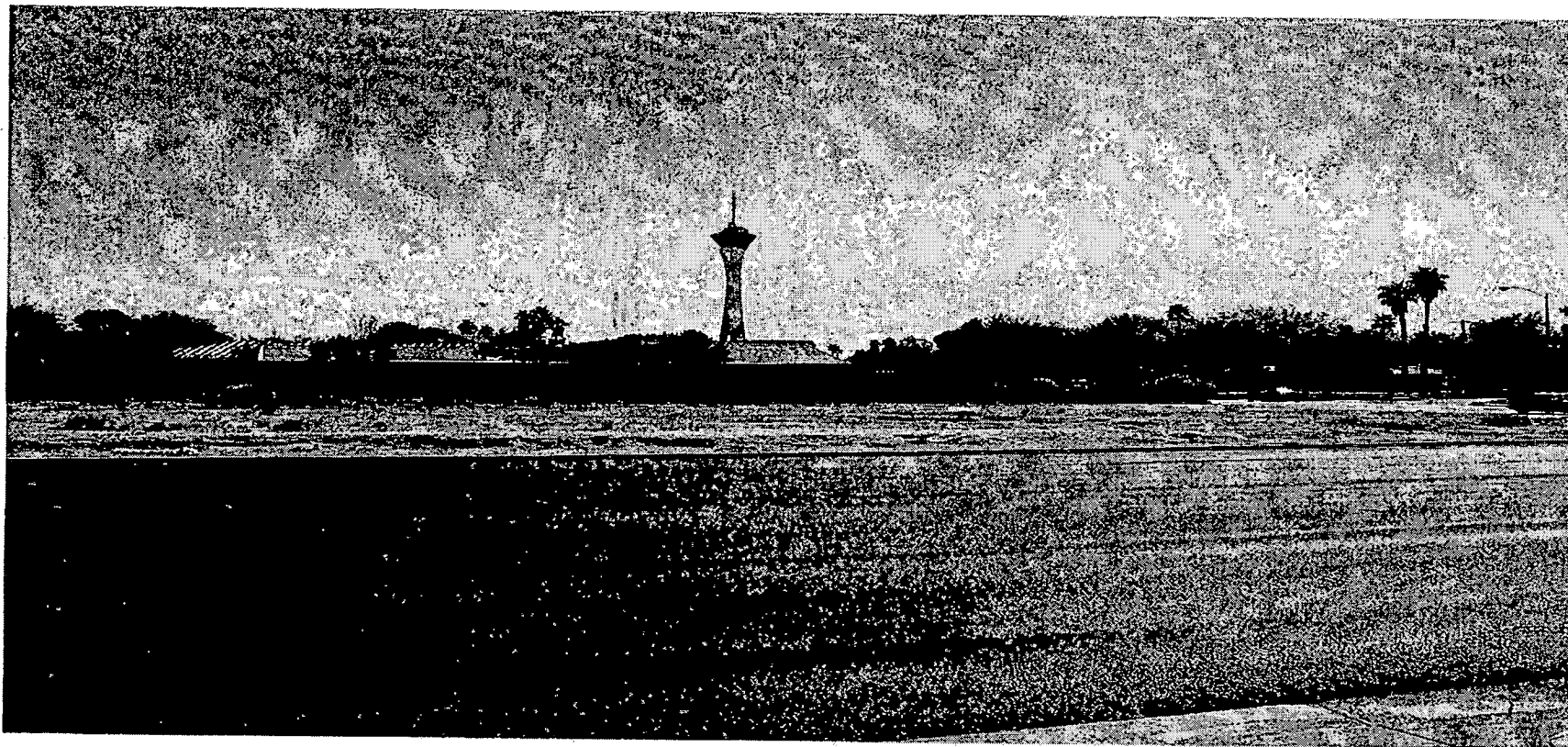
Subscribed and sworn before me

This 17 day of FEBRUARY, 2004

Carol Bildenbark
Notary Public in and for said County and State







ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-3981 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

22 March 2004

Re: Proposed zone change Rancho/Oakey from Residential to
Professional Office

Dear Sirs: MR. GENZER.

We are adamant in our rejection of this proposed zone change.

The lots in question are smack-dab in the center of residential property – not just any residential property, but our neighborhood. We will not permit this zoning change to happen in the center of our neighborhood.

We have lived in this neighborhood for many years, have raised our families here, and have every intention of staying in our exclusive, valuable, and upgraded homes.

You can expect strong opposition to this zone change from our neighbors, our families, and ourselves.

You can expect us to be present at any and all public meetings regarding this property, we have every intention of making our feelings known, and will do whatever is in our power to prevent this proposed zoning change.

Sincerely,

Chait Klain, D.D.

Chait Klain

Dr. and Mrs. Klain

ZAN-3981

Director of Planning and Development
731 S Fourth St.
Las Vegas, Nevada 89101

March 22, 2004

Director Genzer;

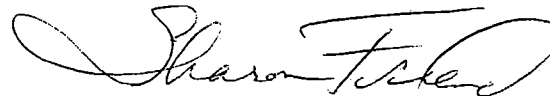
I am writing to let you know that I am very apposed to the proposed zone change that will be coming before the planning department on April 8, 2004 regarding the Rancho and Oakey intersection property. I have lived in McNeil and the Scotch 80s since 1953. Back then Rancho was a shadey tree lined street and Oakey didn't appear to be a street! Now they are a very busy, high traffic area with just residential zoning. We don't need or want any professional zoning in our area, let alone a 70 parking space doctors office that will probably have an hourly change of cars. One hundred forty cars are possible every hour just for this property if that zone change goes into effect. Aren't you just a bit curious where they will park it the first 70 haven't left? My guess is on our streets. If $A=B$ and $B=C$, then $A=C$ and we will be punished for something we don't even want by having 1 hour parking signs in front of our homes.

As I understand our situation, the three lot owners were offered to be enclosed with the property immediately East of them but declined and then were walled off from the rest of the Scotch 80s by their own choice. The parcels on the East have sold at a good price; the three lots could have been included so sympathy doesn't run too deep around here.

I am a second generation Las Vegan and a Realtor, have been for over twenty years, and I specialize in this general area. I know what will happen to our properties, who will win and that, the majority will loose. Why would the benefit of three sellers and one buyer be more important than what this will impose on thousands of our homeowners. It is also rumored that there is someone who might purchase those lots if the zoning does not change.

Please, take a good look at this proposal and do the right thing. Highest and Best use here is to protect the current zoning, not to protect those looking for personal gain.

Thanking you in advance for your careful consideration.



Sharon Friend
702 384-5049

cc: Mayor Oscar Goodman
Councilwoman Janet Montcrief
Councilwoman Lynette Boggs McDonald
Councilman Gary Reese
Councilman Larry Brown
Councilman Michael Mack

ZON-3981

MILTON I. SCHWARTZ
2293 DUNEVILLE STREET
LAS VEGAS, NV 89146

(702)383-6767 - Phone

(702)387-8770 - Fax

March 30, 2004

Planning and Development
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

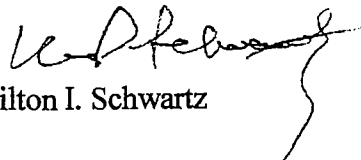
RE: ZON-3981

To Whom It May Concern:

I am a resident of Las Vegas residing at 2120 Silver Avenue, Las Vegas, NV 89102 the Northeast corner of Silver and Pine in the Scotch Eighties. I object to the "request for a rezoning from: R-E (Residence Estates) to: P-R (Professional Office and Parking) on 1.38 acres located adjacent to the Northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 Thur 103), Ward 1 (Moncrief)."

If you have any questions, please call me at (702)383-6767.

Cordially,


Milton I. Schwartz

RECEIVED
ON MAR 31 PM 3:58
DEVELOPMENT
ZON-3981 D

March 17, 2004

Director Planning and Development
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89101

RE: Proposed Zone Change Rancho/Oakey

Dear Director Genzer:

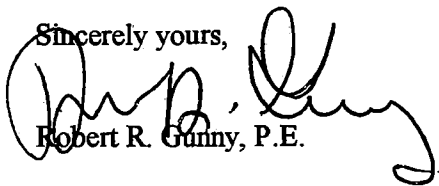
I am writing to protest the referenced proposed zone change from residential to professional office. As a long time Las Vegas homeowner residing at 2420 Laurie Drive for over 40 years, I firmly believe that the proposed zone change will have a negative impact on the quality of life in our neighborhood. The proposed zone change to permit construction of an office building with attendant parking demands will only lead to further traffic problems at the corner of Oakey and Rancho as well as spill-over parking onto nearby residential side streets. As you may or may not be aware, the intersection of Oakey and Rancho has been the scene of numerous serious traffic accidents through the years with the occurrence of fatalities. Traffic counts on Rancho and Oakey will unquestionably go up with the addition of an office building at the site resulting in the potential for an increase in traffic accidents at the aforementioned intersection. Further, current traffic flow makes it difficult at times to either enter or exit Rancho from or to our side street and any increase in traffic counts can only make this situation worse. Scotch Eighty residents were able to restrict traffic flow in their area by barricading side streets fronting Rancho and Oakey. We do not have that option.

Other concerns of the writer include facing the prospects of a decrease in property value in the event of the proposed zone change- a matter of simple economic reality. It does not seem just that large numbers of homeowners should have their neighborhood negatively impacted in order that a single individual can selfishly realize an increase in their property value through the expediency of a zone change. I am sure that you would not wish to see this happen in your neighborhood.

It is respectfully requested that you not recommend approval of the proposed zone change thereby hopefully, making it possible for us to continue living in our neighborhood under present zoning regulations.

Thanking you for your consideration, I remain

Sincerely yours,


Robert R. Gunny, P.E.

cc: Mayor Oscar Goodman
Councilwoman Janet Montcrief
Councilwoman Lynette Boggs McDonald
Councilman Gary Reese
Councilman Larry Brown
Councilman Michael Mack

ZCN-3891 P

March 20, 2004

Bob Genzer
Director Planning Dept.
731 S 4th St.
Las Vegas, NV 89101

Re: Property on NE corner of Rancho and Oakey zoning

Dear Mr. Genzer,

We are opposed to changing the zoning of the above property from residential to professional. We live on Karli Dr. Now it is very hard to make a left turn onto Rancho. More traffic would make it almost impossible. Since our street is a dead end, Rancho is our only way out. In addition a small amount of rain always floods the corner of Oakey and Rancho making it very dangerous to make a right turn there. More buildings and parking lots would exacerbate the flood problem. We are opposed to the proposed medical center there.

In addition a professional building there would make our property values go down. All of Oakey in that area is residential, and we want to keep it that way.

Thank you for your consideration of these problems.

Sincerely,

Marjorie Guihn

James Guihn

2312 Karli Dr.
Las Vegas NV 89102
702 259 3194
mguihn@aol.com

ZON-3891 P

Anne L. Kellogg
2109 Bonnie Brae Drive
Las Vegas, Nevada 89102

Bob Genzer
Director
Planning Department, City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

March 17, 2004

Re: April 8, 2004 hearing for zoning change from residential to commercial
Property located at Rancho Drive and Oakey Boulevard for 10,000 square-foot medical office, 70 parking spaces

Dear Mr. Genzer,

As a life-long resident of Las Vegas, I believe the rezoning of the land at Rancho Drive and Oakey Boulevard is a terrible idea however unfortunate it is to have it sit there vacant for all these years. I currently live in Glen Heather estates, a few hundred feet away from this project that I believe would be a true detriment to the neighborhoods surrounding it.

I respectfully request that you and the city oppose this project on the following grounds:

- A 10,000 square-foot medical facility with 70 parking spaces is not an appropriate use of the property. (That is too similar to every Sav-On, CVS and Walgreen in the city, even if this is only to be used during normal business hours.)
- It will create more traffic on an already heavily trafficked street in the city where leadership really should be looking at ways to decrease traffic congestion.
- The majority of the neighbors are not in favor of this project.
- If approved and built, the medical facility will be a cancer that leads to rezoning plights by the majority of the landowners on the west side of Rancho Drive which will further erode the entire area.

Mr. Genzer, I believe Glen Heather Estates, Rancho Bonito, Scotch 80s, McNeil and Westleigh are going through an urban renaissance with many young people and families moving into this area who are looking for more traditional neighborhood settings than offered in the outlying areas. This is a slow process that needs a chance to grow into something wonderful.

It is my understanding that a team of developers (lead by the Nigros) looked to purchase these properties when it was working on a cul-de-sac development abutting this land in Scotch 80s several years ago. We should not be punished because three land-owners chose not to build or sell the properties in the past when chances were available to them.

I am not an advocate of having undeveloped properties in the urban core of Las Vegas. In fact, I will wholeheartedly support any residential use for the property (including a fourplex or duplex). This medical building project simply does not work and will disrupt the area. Please consider rejecting the rezoning.

Sincerely yours,

Anne L. Kellogg

CC: Chair, Richard Truesdell
Commissioner, Todd Nigro
Commissioner, Byron Goynes
Commissioner, Laura McSwain
Commissioner, Steven Evans

Commissioner, Leo Davenport
Commissioner, David Steinman
Mayor, Oscar Goodman
Councilwoman, Janet Montcrief
Councilwoman, Lynette McDonald

Councilman, Gary Reese
Councilman, Larry Brown
Councilman, Lawrence Weekly
Councilman, Michael Mack

GPA-3977
ZON-3981
STR-3982 P

Hal & Pat Drury
1400 Bryn Mawr Avenue
Las Vegas, NV 89102
Phone: 474-0081 Fax: 474-4254

FAX TRANSMISSION

To: Bob Genzer, Director, Planning Department
Re: Doctor's Office Complex GPA-3977, SDR-3982 and Zon-3981
Fax: 382-8558
Date: March 26, 2004
Number of Pages: 1
Comments: Mr. Genzer

Please vote NO on the above mentioned proposed zone change.

This fax is being sent to you because of our grave concern for the proposed zoning change. Our major concern is an increase in the already heavy traffic flow on Rancho and Oakey. We already have all the noise we can stand with boom boxes, sirens, motorcycles with inadequate muffler systems and cars breaking down and coming to our door asking for help or to use the phone. These are not isolated incidences; this occurs several times a week.

We have noticed the poor construction techniques used by the builders in the area. We don't need another throw up building made of wood chips and stucco. If you look in the Rancho/Oakey area, all the homes are solid construction using brick and large wooden beams in their construction. We feel the building proposed would be blight on this historic section of Las Vegas.

Three Problems:
Trashy construction
Traffic problems
Commercial building in a residential neighborhood

Again, we strongly urge you to vote NO and help preserve an historic neighborhood and save our property values.

Hal Drury

P
GPA-3977
ZON-3981
SDR-3982

Roger and Sandra Kreml
1901 Calanda Ct.
Las Vegas, NV 89102

RECEIVED

04 APR -5 AM 8:20

DEVELOPMENT

April 1, 2004

Planning Department
Bob Genzer, Director
731 S. 4th Street
Las Vegas, NV 89101

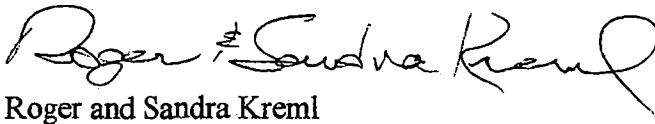
Re: Re-zoning of the Northeast Corner of Rancho and Oakey
(GPA-3977; SDR-3982; ZON-3981)

Dear Mr. Genzer:

We are homeowners that live within 500 yards of the corner at Rancho and Oakey. We vehemently object to the re-zoning of this corner lot for a doctor's office, or any commercial development for that matter. The neighborhoods at all four corners of this intersection are older, vital, thriving residential communities. This area is an attractive residential area. Homes in our area are well maintained, and often are significantly re-modeled and upgraded. But we cannot maintain the quality of our neighborhoods against the insidious invasion of commercial development and resulting increase in traffic, heavy as it already is.

You KNOW that approving this re-zoning would be the "nose of the camel under the tent" signaling the initial real deterioration of our residential enclave in the center of Las Vegas. Approving the re-zoning of this corner will open wide the flood-gates of development up and down Rancho between Charleston and Oakey.

Please do not approve this re-zoning. Leave a quality residential area in central Las Vegas alone.


Roger and Sandra Kreml

GPA-3977
ZON-3981
SDR-3982
P

1800 Silver Ave.
Las Vegas, NV 89102
March 30, 2004

Tel: 702-474-4477
Fax: 702-474-9420
eoparker@aol.com

Bob Genzer
Director, Planning Department
731 S. 4th St.
Las Vegas, NV 89101

Tel: 229-6301

Re: Please Do Not Approve Commercial Zoning in Residential Area (GPA-3977, SDR-3982, ZON-3981) (Northeast corner of Rancho Dr. and Oakey Blvd.)

Dear Mr. Genzer,

Please do not approve the above requests for change in zoning. There is no greater responsibility of the Planning Department than to protect the integrity and quality of life in a residential neighborhood from unwarranted commercialization. Several years ago, when the Planning Commission and City Council, against the wishes of local residents, approved the zoning change and commercial project on the east side of Rancho, just south of Charleston, we were told, "After this one variance, we will not allow any more commercial establishments on Rancho between Charleston and Sahara." If approved, it will be only the first of a domino effect along Rancho, until all the houses become commercial establishments, as has occurred along Jones.

We know that Las Vegas is growing. We also know that proper planning of growth is designed to protect the integrity of residential neighborhoods and provide appropriate placement of commercial enterprises. Rezoning residential property to allow intrusion of a commercial business in a group of long-established residential neighborhoods is not appropriate, at all. In this case, it is intrusion into one of the oldest and most beautiful group of neighborhoods left in Las Vegas - Scotch Eighties, McNeil Estates, Rancho Bonito and Glen Heather.

Your responsibility as the Director of the Department of Planning is not only to protect residential neighborhoods from deterioration, it is also to promote stability and beautification in those areas. With that in mind, it just might be time to revisit the concept, as discussed with previous administrations, of the City purchasing the property site in question and making it a "pocket park". This pocket park would not only beautify a long-standing eyesore, but would remove it as a target forever from those interested only in maximizing profit at the expense of destroying the remaining few long-established and well-maintained lovely residential areas in Las Vegas.

Sincerely,


Susan R. Parker


Edson O. Parker

GPA-3977
ZON-3981
SDR-3982
P

DEVELOPMENT

04 APR -5 AM 8:20

RECEIVED

Mar 19, 2004

ZON-3891

Dear Mr. Genger,

I am an old lady who lives at 2416 Laurie Dr., which is off of Rancho between Oakley & Charleston.

I love my home & I love my neighborhood. Things should be pretty good for me.

However, we are constantly having to defend our property from Commercial developers who come in, change the zoning, build a big Medical building and then go away leaving us with the mess.

The traffic on Rancho is bad enough now. We live in a cul-de-sac & many times can't even get out of our street because of the dense traffic.

Mr. White, from the Traffic Dept. has been very good about keeping the lights synchronized to keep the traffic flowing. I thank him.

For years we fought to keep the big Medical complex from being built near the corner of Rancho & Charleston Well, they kept it up until they wore somebody down. Now it is there to add more ca

Now, since they got a toe-hold on Rancho, someone wants to put a Medical building on the corner of Oakley. Enough!! There are plenty of empty lots on Charleston for them to build on. Why do they have to come into

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3977 AND ZON-3981 - PUBLIC HEARING - SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 11,200 SQUARE-FOOT MEDICAL OFFICE on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 thru 103), R-E (Residence Estates) Zone, [Proposed: P-R (Professional Office and Parking) Zone], Ward 1 (Moncrief).

C.C. 05/5/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

106

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS

To be heard by the City Council on 5/5/2004

NOTE: COMMISSIONER McSWAIN disclosed that her grandfather at one time lived in the area.

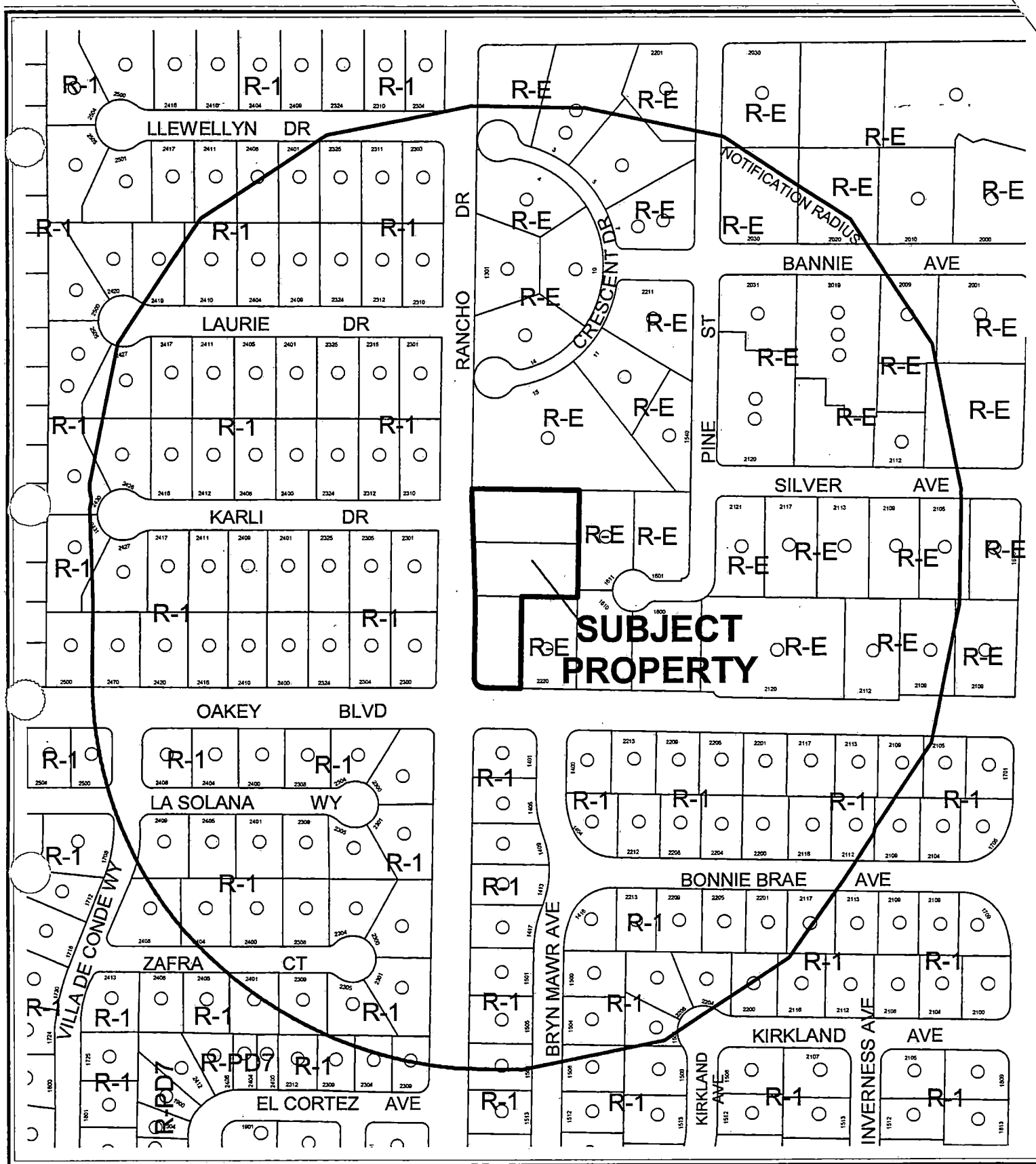
NOTE: COMMISSIONER DAVENPORT disclosed that he does not have a conflict, even though one of his election signs is on the property. He has a contract with the sign company who puts the signs wherever they choose.

MINUTES:

NOTE: See Item 28 [GPA-3977] for all related discussion.

(7:14 – 7:44)

1-2956/2-1



CASE: SDR-3982

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:
P-R (PROFESSIONAL OFFICE AND PARKING)





CASE: SDR-3982

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS:
HELEN GOULETTE, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: **DENIAL** If APPROVED, subject to:

Planning and Development

1. A General Plan Amendment (GPA-3977) to O (Office) and a Rezoning [ZON-3981] to P-R (Professional Office) District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a loading zone and to meet Residential Adjacency Standards of the Code. This will require that the site plan be amended to move the building or reduce the building height, or that the applicant seek and receive approval of a Variance from this requirement of the Code.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along the interior perimeters of the site, a minimum 24-inch box trees, each with two minimum 15-gallon trees, planted a minimum of 35 feet on-center along the external perimeters of the site, and the use of a minimum size of 24" box trees in the parking areas.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]

SDR-3982 - Conditions Page Two
April 8, 2004 Planning Commission Meeting

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate any impact from the project on the residential area to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
17. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.

Public Works

18. Construct a median island within Rancho Drive to restrict driveway movements to right-in/right-out only that is acceptable to the City Traffic Engineer concurrent with development of this site.
19. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
20. Site development to comply with all applicable conditions of approval for Rezoning application ZON-3981 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 11,200 square-foot medical office on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Boulevard. Companion applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and for a Rezoning (ZON-3981) from R-E (Residence Estates) to P-R (Professional Office & Parking) will be considered concurrently.

B) Applicant's Justification

The applicant has justified the request by stating that the intent is to create a practical use for three empty residential lots that have very undesirable and isolated locations within an older neighborhood. The applicant feels that the lots, which all border along Rancho Drive, will not be developed as residential property because the only access to them is directly off Rancho Drive and that they have no real relationship or association with the surrounding existing neighborhood.

BACKGROUND INFORMATION

A) Previous Actions

There is no recent case history associated with this site.

04/08/04 The Planning Commission will review companion applications for a General Plan Amendment (GPA-3977) from DR (Desert Rural Density Residential) to O (Office), and for a Rezoning (ZON-3981) from R-E (Residence Estates) to P-R (Professional Office & Parking). Staff has recommended denial of all three applications.

B) Pre-Application Meeting

02/02/04 The following comments were made at the meeting:

- No commercial uses exist anywhere in the area of predominately low-density residential uses and denial would be recommended.
- Transportation trail is required along the east side of Rancho Drive. There may be the possibility of reducing the width of the path to five feet, consistent with proposed new standards.
- Landscaping would be required around the building foundations; a waiver would be required if the six-foot standard could not be met.

- There may be residential adjacency issues with properties to the south and east.
- One curb cut may be allowed to meet the 220-foot separation requirements

C) Neighborhood Meetings

03/03/04 Approximately 40 to 60 people attended the meeting. The concerns raised were stated as follows:

- Fear of the City creating a commercial corridor along Rancho Drive.
- Traffic at Rancho/Oakey (concerned with 70 parking spaces added to congestion at the intersection).
- Overall concept of community will be disrupted.
- Residents angry with past "city planners" for allowing three lots to become isolated, and creating this situation. Properties should have been included in cul-de-sac to the east within residential community.
- Landowners and representatives wanting to make a profit without considering neighborhood needs.
- Loss of property value in neighborhood.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net acres: 1.38 Acres

B) Existing Land Use

Subject Property: Undeveloped
North: Single-Family Dwelling
South: Across Oakey Boulevard, Single-Family Dwelling
East: Single-Family Dwelling
West: Across Rancho Drive, Single-Family Dwelling

C) Planned Land Use

Subject Property: D-R (Desert Rural Density Residential)
North: D-R (Desert Rural Density Residential)
South: Across Oakey Boulevard, D-R (Desert Rural Density Residential)
East: D-R (Desert Rural Density Residential)
West: Across Rancho Drive, D-R (Desert Rural Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: Across Oakey Boulevard, R-E (Residence Estates)
East: R-E (Residence Estates)
West: Across Rancho Drive, R-E (Residence Estates)

E) General Plan Compliance

The site is currently designated as DR (Desert Rural density Residential) on the Southeast Sector Plan map of the General Plan. Desert Rural uses include single family homes on large lots, possibly with equestrian facilities and non-equestrian raising of animals. The companion request for a General Plan Amendment (GPA-3977) would change the designation of the site to O (Office). A major land use study was undertaken in 2001 at the direction of City Council out of concern with increasing pressure to develop many of the vacant lots in the Rancho - Charleston corridor for office use. Consequently, the Rancho Charleston Land Use Study and Strategic Plan was adopted on 06/19/02. As stated in the Plan, the major goal is to: "Protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses (page 21)."

The Rancho Charleston Land Use Study and Strategic Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory for all present and future landowners. The burden is on the property owner to demonstrate why the site cannot be developed in the manner in which it is classified. The applicant has presented no justification for altering the plan.

The subject proposal would create an "island" of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. Changing the land use classification and rezoning the property to a commercial classification may be tantamount to an action of illegal "spot zoning." Such action is permissive only when it is not contrary to the General Plan and when there is reason to distinguish between the subject property and adjoining properties. The staff was not able to make that distinction.

The subject property is located within the Rural Preservation Neighborhood (RPN) Buffer. This 330-foot transitional buffer exists because of the RPN located immediately to the north, east, and south. Within this buffer area, residential development density is limited to three dwelling units per acre, **unless good cause is shown**. The buffer area is intended to protect the integrity of the RPN. For that reason, the state enabling legislation was adopted to provide additional assurance that such integrity would be preserved. Staff could not find good cause for varying from the provisions of this law.

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 11,200 square-foot one-story medical office on 1.38 acres adjacent to the northeast corner of Rancho Drive and Oakey Drive. The building is located on the northern portion of the site and is designed with a pitched tile roof and a central courtyard area. The building is surrounded by parking and the southern portion of the site is dedicated to parking as well. Access to the site is via two driveways to Rancho Drive. A monument sign is proposed at the southwest corner of the site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards PR District	Required	Provided	Compliance
Min. Lot Width	100 Feet	356 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	56 Feet	Y
• Corner	15 Feet	242 Feet	Y
• Rear	15 Feet	56 Feet	Y
Max. Lot Coverage	50 %	18.6%	Y
Max. Building Height	2 Stories / 35 Feet	1 story/24 Feet	Y
Trash Enclosure	Walled, gated, roofed and 50 Feet from residential	Walled, gated, roofed and 52 Feet from residential	Y
Loading Zone	1	Not indicated	N

The project as proposed conforms to the development standards applicable to the PR (Professional Office and Parking) zoning district, with the exception of a loading zone that is not indicated on the site plan. A condition of approval will require that loading zone to be added to the site plan.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The properties immediately to the north and east of the subject site are designated as DR (Desert Rural Density Residential). Title 19.08.060.A.1.a. requires that residential adjacency standards be observed for non-residential projects adjacent to land so designated. Based on the required 3:1 proximity slope and the proposed building height of 24 feet, a separation distances of 72 feet from the proposed building to the north and east property lines are required. A distance of 56 feet in each direction is proposed. The applicant will need to either move the building or reduce the building height (from 24 feet to approximately 18 feet based on the current building footprint) to comply with the requirement, or seek a Variance from the above-noted provision. A condition of approval addresses this issue.

b) Building setback. The project exceeds this requirement of the Code.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office, Medical and Dental	11,200 S.F.	1 space/200 S.F. up to 2,000 S.F. GFA + 1 space/each add'l 175 S.F. 10% handicap spaces	10 spaces 53 spaces	 7 spaces		
Totals			63 spaces	7 spaces	70 spaces	7 spaces

The project as proposed exceeds the parking requirements of the Code.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 24" box Tree/6 Spaces	12 24" box Trees	12 15-gal Trees
Buffer:			
• Min. Trees	1 24" box Tree/35 Feet + 2 15-gal Trees/35 Feet on external perimeters (940 Feet – driveways = 885 Feet) 1 24" box Tree/20 Linear Feet on internal perimeters (720 Feet)	25 24" box Trees + 50 15-gal Trees 36 Trees	10 24" box Trees + 29 5-gal Trees 34 Trees
• Min. Zone Width	15 Feet on external perimeters, 8 Feet on internal perimeters		Y
• Wall height	6 Feet		Y

The proposed landscaping does not meet Code requirements with regard to the required size and number of perimeter trees, and the size of parking lot trees, to be planted. A condition of approval will address this issue.

A5) Sign Standards

Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

Monument Signs: P-R zoning district

Standards	Allowed	Provided
Maximum Number	1 / 500 feet street frontage 2 total	1 total
Maximum Area	75 SF	75 SF
Maximum Height	8 Feet	8 Feet
Minimum Setback	5 Feet	16 Feet
Illumination	Must be designed to avoid fugitive light	Y

The proposed monument sign as proposed meets the sign standards of the Code, including the Residential Protection Standards of Title 19.14.070.

B) General Analysis and Discussion

- Zoning

The companion Rezoning request (ZON-3981) proposes to rezone the site from the R-E (Residence Estates) Zone to the P-R (Professional Office) Zone. This proposed zone conforms to the proposed O (Office) land use designation, which is the subject of the companion General Plan Amendment request (GPA-3977).

- Site Plan

The proposed site plan would conform to the regulations of the Code, other than Residential Adjacency standards, placement of a loading zone and certain landscaping deficiencies highlighted in this report. Discussions have indicated that the applicant is willing to make adjustments in the site plan and building design to eliminate these issues within current Code standards, without the need for Waivers of or Variances to the Code.

- Waivers

No Waivers have been requested as part of this application.

- Landscape Plan

The landscape plan depicts the use of 24-inch box Arizona Mesquite and Mondel Pine trees as exterior perimeter plantings along Oakey Boulevard and Rancho Drive. Twenty-four inch Mondel Pines are proposed along the interior perimeters of the site. The use of 15-gallon Mondel Pines within the parking area does not meet Code standards. Also, the tree-planting interval proposed for external perimeters is acceptable only if two 15-gallon trees are matched with each 24-inch box tree; the proposal is for five-gallon shrubs, which does not meet Code standards.

- Elevation

The elevations depict a one-story structure finished in stucco with a steep-angle pitched tile roof. Columns, banding and stucco wainscoting are used to provide detail and visual interest. Foundation landscape planters are proposed along the south side of the building. An open passageway from the south face of the building will lead to an outdoor courtyard in the middle of the building. The eave height of the building is proposed at 14 feet, with the top of the roof being 24 feet in height. The applicant has proposed to reduce this overall height to approximately 18 feet in order to comply with the Residential Adjacency Standards of the Code.

FINDINGS

To approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The subject proposal would create an "island" of commercial development in the midst of a larger existing single-family residential area that is designated and zoned for single-family residential development. A compatibility issue develops when commercial development is introduced to a residential area. Office development is less intensive than many other commercial uses, but it is more intensive than residential development, when considering the associated activities with a business.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

Subject to approval of the companion General Plan Amendment and Rezoning requests, the application will comply with most of the above-noted policies and standards, with the exception of Residential Adjacency Standards, provision of a loading zone, and certain deficiencies in the landscaping plan. The applicant has indicated that the site plan and elevations will be revised to rectify these deficiencies and meet all aspects of the current Code.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

Access to the site is proposed from Rancho Drive, which is depicted as a Secondary (80-foot) Collector road on the Master Plan of Streets and Highways. This road contains sufficient capacity to serve the proposed development.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building and landscape materials are appropriate for this type of development.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The building elevations as shown are typical of office developments. The development of a perimeter wall with a significant amount of landscaping will improve compatibility with adjacent single-family residential development.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 154 (Mailed with GPA-3977 and ZON-3981)

APPROVALS 0

PROTESTS 5



Case Number: SDR-3982 APN: 162-04-210-103
Name of Property Owner: HELEN GOULETTE
Name of Applicant: DR. JAS GROVER

 Yes ☒ No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Helen Loulette

Print Name: Helen Goulette

Subscribed and sworn before me

This 6 day of FEB, 2004

Carol Bildbreck
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-3982 APN: 162-04-210-101

Name of Property Owner: SHERMA HARTZKE

Name of Applicant: DA JAS GROVER

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

 Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

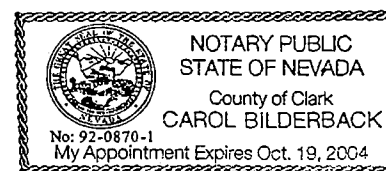
Signature of Property Owner/Authorized Agent:

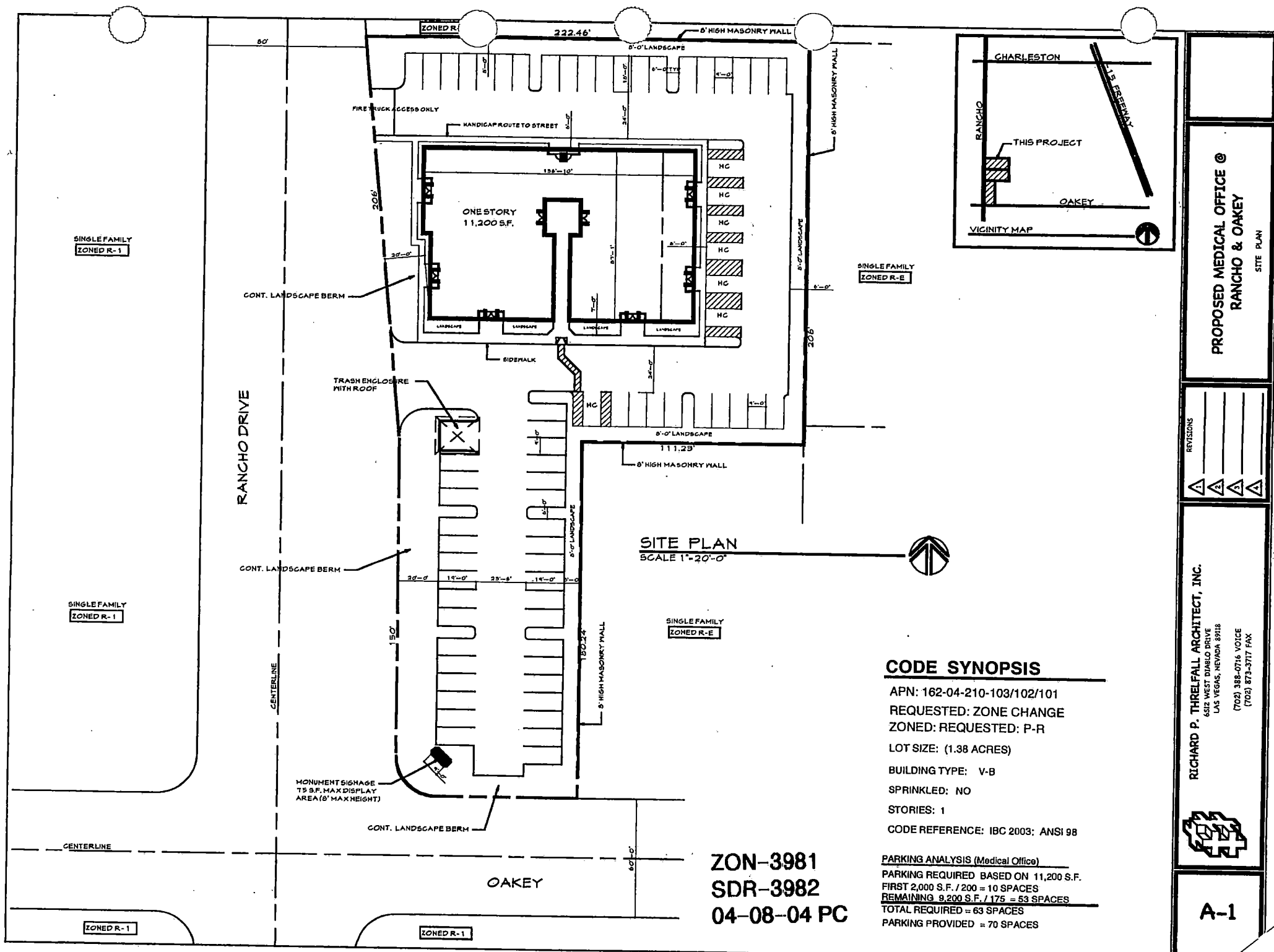
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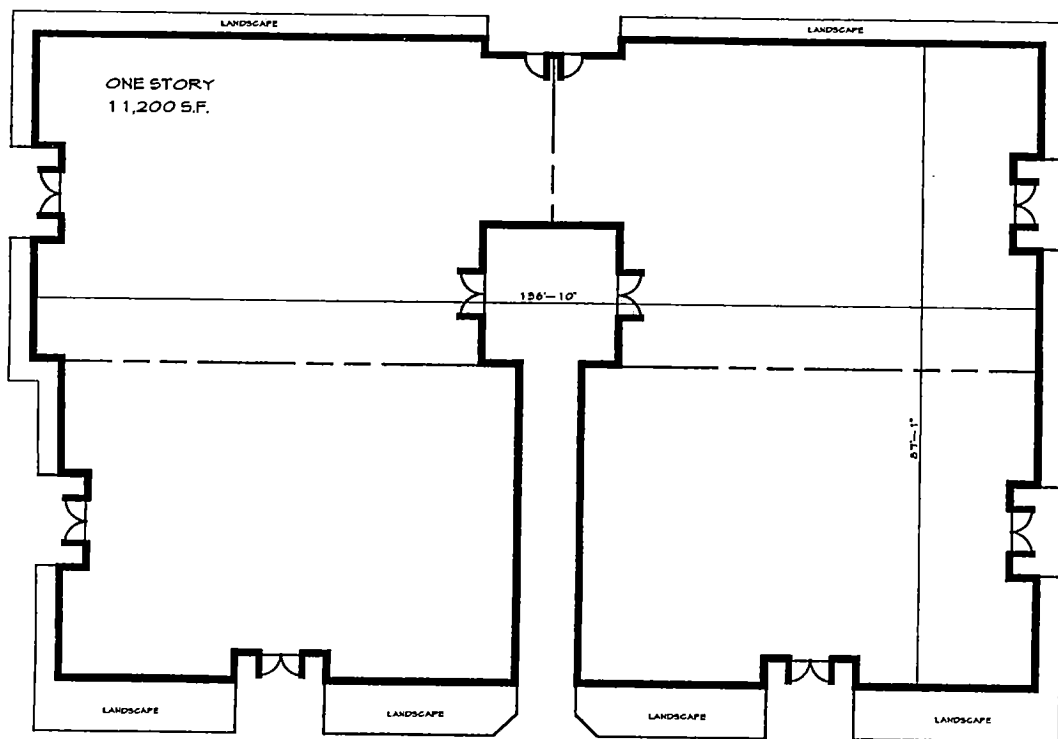
Subscribed and sworn before me

This 17 day of FEBRUARY, 2004

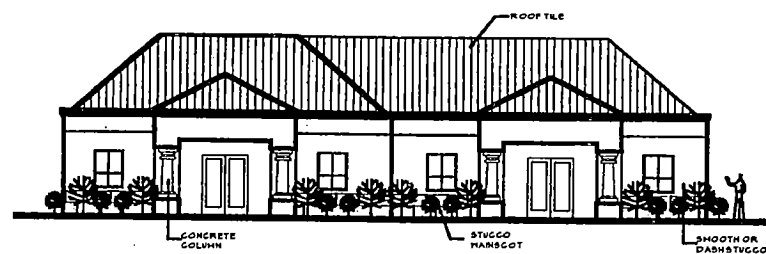
Carol Bilderback
Notary Public in and for said County and State



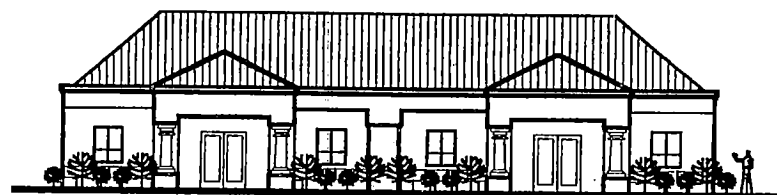




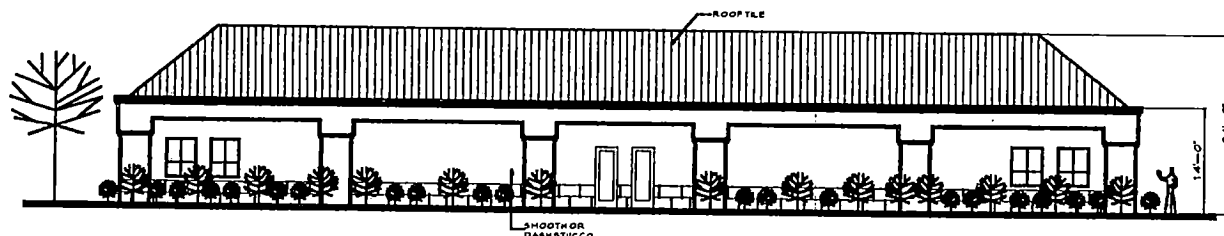
FLOOR PLAN
1/8" SCALE



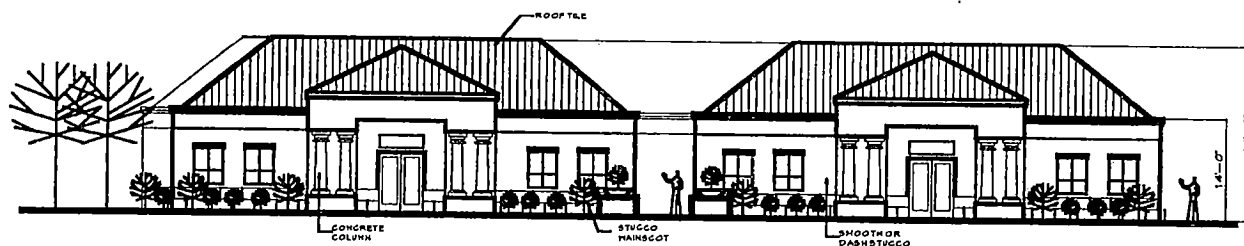
WEST ELEVATION (RANCHO SIDE)
1/8" SCALE



EAST ELEVATION
1/8" SCALE



NORTH ELEVATION (REAR)
1/8" SCALE



SOUTH ELEVATION (MAIN ENTRY)
1/8" SCALE

PROPOSED MEDICAL OFFICE @
RANCHO & OAKLEY
FLOOR PLAN / ELEVATIONS

REVISIONS



RICHARD P. THRELFALL ARCHITECT, INC.
6512 WEST DESILO DRIVE
LAS VEGAS, NEVADA 89118
(702) 388-0716 VOICE
(702) 873-3717 FAX



A-2

ZON-3981
SDR-3982
04-08-04 PC

PLANT LEGEND

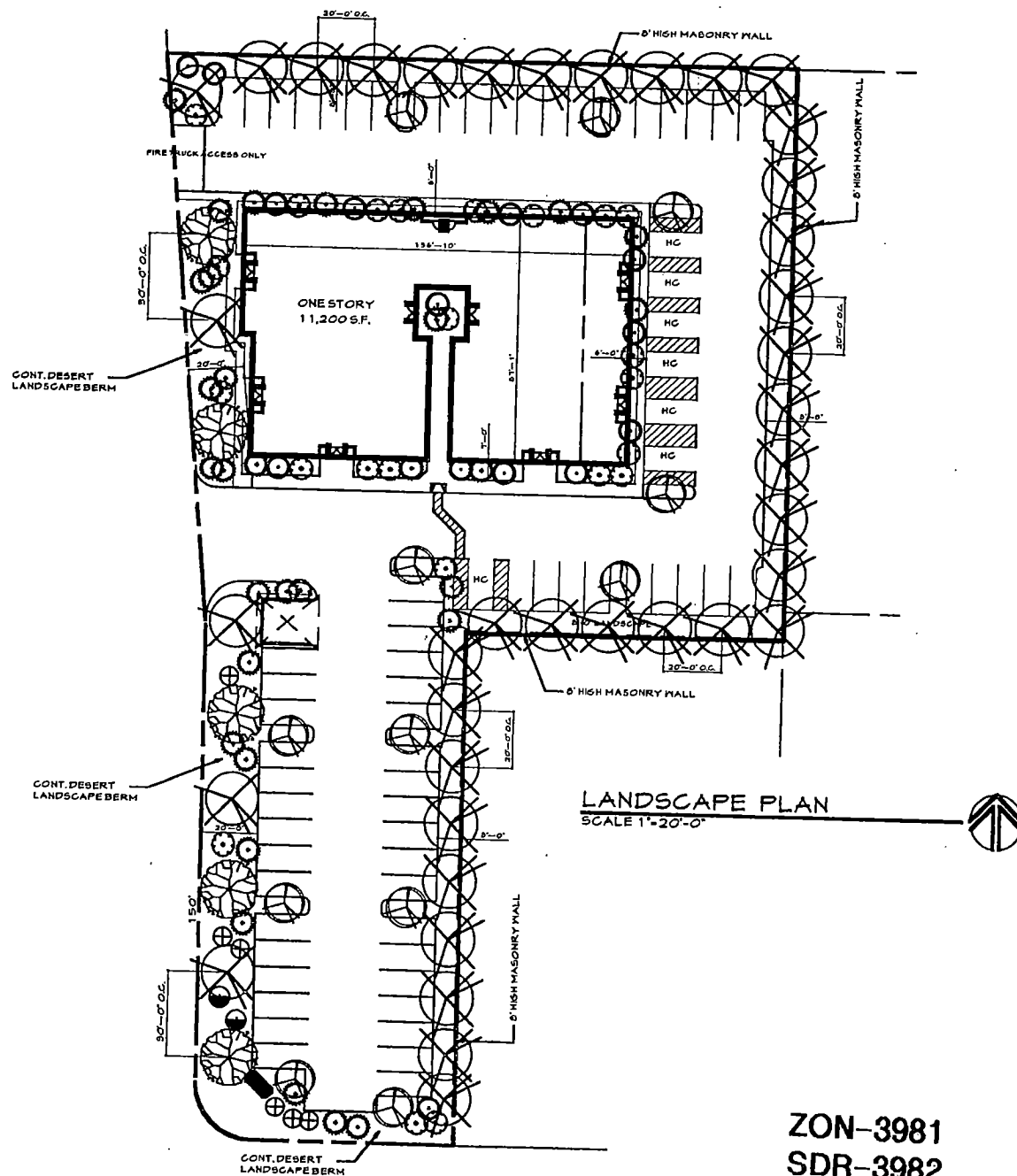
SYMBOL	COMMON NAME	SIZE

TREES

	ARIZONA MESQUITE	24" BOX
	MONDEL PINE	24" BOX
	MONDEL PINE	15 GAL

SHRUBS

	Tagetes lemmonii	Mt. Lemmon Marigold	5 gallon
	Daccharis 'Lantana'	Centennial Daccharis	5 gallon
	Cassia nemoralis	Desert Cassia	5 gallon
	Lantana montealemana	Trailing Lantana	5 gallon
	Muhlenbergia rigens	Desert Grass	5 gallon



ZON-3981
SDR-3982
04-08-04 PC

PROPOSED MEDICAL OFFICE @
RANCHO & OAKLEY
LANDSCAPE PLAN

RICHARD P. THRELFALL ARCHITECT, INC.
6512 WEST DIABLO DRIVE
LAS VEGAS, NEVADA 89118
(702) 388-0716 VOICE
(702) 873-3717 FAX



L-1



SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-3982 - APPLICANT: DR. JAS GROVER - OWNERS: HELEN GOULETTE, ET AL
NORTHEAST CORNER OF RANCHO DRIVE AND OAKLEY DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

MILTON I. SCHWARTZ
2293 DUNEVILLE STREET
LAS VEGAS, NV 89146

(702)383-6767 - Phone

(702)387-8770 - Fax

March 30, 2004

Planning and Development
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

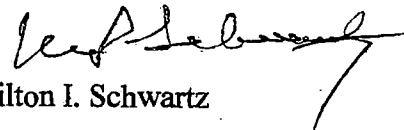
RE: SDR-3982

To Whom It May Concern:

I am a resident of Las Vegas residing at 2120 Silver Avenue, Las Vegas, NV 89102 the Northeast corner of Silver and Pine in the Scotch Eighties. I object to the "request for a site development plan review for a proposed 11,200 square-foot medical office on 1.38 acres adjacent to the Northeast corner of Rancho Drive and Oakey Drive (APN: 162-04-210-101 Thur 103), R-E (Residence Estates) Zone, [proposed: P-R (Professional Office)Zone], Ward 1 (Moncrief)."

If you have any questions, please call me at (702)383-6767.

Cordially,


Milton I. Schwartz

SDR-3982
P

RECEIVED
04 MAR 31 PM 3:58
PLANNING AND
DEVELOPMENT

Anne L. Kellogg
2109 Bonnie Brae Drive
Las Vegas, Nevada 89102

Bob Genzer
Director
Planning Department, City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

March 17, 2004

Re: April 8, 2004 hearing for zoning change from residential to commercial
Property located at Rancho Drive and Oakey Boulevard for 10,000 square-foot medical office, 70 parking spaces

Dear Mr. Genzer,

As a life-long resident of Las Vegas, I believe the rezoning of the land at Rancho Drive and Oakey Boulevard is a terrible idea however unfortunate it is to have it sit there vacant for all these years. I currently live in Glen Heather estates, a few hundred feet away from this project that I believe would be a true detriment to the neighborhoods surrounding it.

I respectfully request that you and the city oppose this project on the following grounds:

- A 10,000 square-foot medical facility with 70 parking spaces is not an appropriate use of the property. (That is too similar to every Sav-On, CVS and Walgreen in the city, even if this is only to be used during normal business hours.)
- It will create more traffic on an already heavily trafficked street in the city where leadership really should be looking at ways to decrease traffic congestion.
- The majority of the neighbors are not in favor of this project.
- If approved and built, the medical facility will be a cancer that leads to rezoning plights by the majority of the landowners on the west side of Rancho Drive which will further erode the entire area.

Mr. Genzer, I believe Glen Heather Estates, Rancho Bonito, Scotch 80s, McNeil and Westleigh are going through an urban renaissance with many young people and families moving into this area who are looking for more traditional neighborhood settings than offered in the outlying areas. This is a slow process that needs a chance to grow into something wonderful.

It is my understanding that a team of developers (lead by the Nigros) looked to purchase these properties when it was working on a cul-de-sac development abutting this land in Scotch 80s several years ago. We should not be punished because three land-owners chose not to build or sell the properties in the past when chances were available to them.

I am not an advocate of having undeveloped properties in the urban core of Las Vegas. In fact, I will wholeheartedly support any residential use for the property (including a fourplex or duplex). This medical building project simply does not work and will disrupt the area. Please consider rejecting the rezoning.

Sincerely yours,

Anne L. Kellogg

CC: Chair, Richard Truesdell
Commissioner, Todd Nigro
Commissioner, Byron Goynes
Commissioner, Laura McSwain
Commissioner, Steven Evans

Commissioner, Leo Davenport
Commissioner, David Steinman
Mayor, Oscar Goodman
Councilwoman, Janet Montcrief
Councilwoman, Lynette McDonald

Councilman, Gary Reese
Councilman, Larry Brown
Councilman, Lawrence Weekly
Councilman, Michael Mack

GPA-3977
ZON-3981
STR-3982 P

Hal & Pat Drury
1400 Bryn Mawr Avenue
Las Vegas, NV 89102
Phone: 474-0081 Fax: 474-4254

FAX TRANSMISSION

To: Bob Genzer, Director, Planning Department
Re: Doctor's Office Complex GPA-3977, SDR-3982 and Zon-3981
Fax: 382-8558
Date: March 26, 2004

Number of Pages: 1

Comments: Mr. Genzer

Please vote NO on the above mentioned proposed zone change.

This fax is being sent to you because of our grave concern for the proposed zoning change. Our major concern is an increase in the already heavy traffic flow on Rancho and Oakey. We already have all the noise we can stand with boom boxes, sirens, motorcycles with inadequate muffler systems and cars breaking down and coming to our door asking for help or to use the phone. These are not isolated incidences; this occurs several times a week.

We have noticed the poor construction techniques used by the builders in the area. We don't need another throw up building made of wood chips and stucco. If you look in the Rancho/Oakey area, all the homes are solid construction using brick and large wooden beams in their construction. We feel the building proposed would be blight on this historic section of Las Vegas.

Three Problems:

Trashy construction
Traffic problems
Commercial building in a residential neighborhood

Again, we strongly urge you to vote NO and help preserve an historic neighborhood and save our property values.

Hal Drury

P
GPA-3977
ZON-3981
SDR-3982

Roger and Sandra Kreml
1901 Calanda Ct.
Las Vegas, NV 89102

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04 APR -5 AM 8:20

DEVELOPMENT

April 1, 2004

Planning Department
Bob Genzer, Director
731 S. 4th Street
Las Vegas, NV 89101

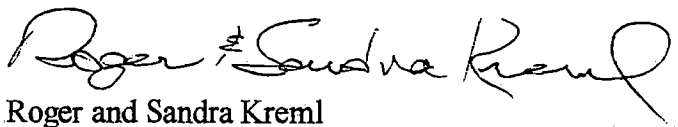
Re: Re-zoning of the Northeast Corner of Rancho and Oakey
(GPA-3977; SDR-3982; ZON-3981)

Dear Mr. Genzer:

We are homeowners that live within 500 yards of the corner at Rancho and Oakey. We vehemently object to the re-zoning of this corner lot for a doctor's office, or any commercial development for that matter. The neighborhoods at all four corners of this intersection are older, vital, thriving residential communities. This area is an attractive residential area. Homes in our area are well maintained, and often are significantly re-modeled and upgraded. But we cannot maintain the quality of our neighborhoods against the insidious invasion of commercial development and resulting increase in traffic, heavy as it already is.

You KNOW that approving this re-zoning would be the "nose of the camel under the tent" signaling the initial real deterioration of our residential enclave in the center of Las Vegas. Approving the re-zoning of this corner will open wide the flood-gates of development up and down Rancho between Charleston and Oakey.

Please do not approve this re-zoning. Leave a quality residential area in central Las Vegas alone.


Roger and Sandra Kreml

GPA-3977
ZON-3981
SDR-3982
P

1800 Silver Ave.
Las Vegas, NV 89102
March 30, 2004

Tel: 702-474-4477
Fax: 702-474-9420
eoparker@aol.com

Bob Genzer
Director, Planning Department
731 S. 4th St.
Las Vegas, NV 89101

Tel: 229-6301

Re: Please Do Not Approve Commercial Zoning in Residential Area (GPA-3977, SDR-3982, ZON-3981) (Northeast corner of Rancho Dr. and Oakley Blvd.)

Dear Mr. Genzer,

Please do not approve the above requests for change in zoning. There is no greater responsibility of the Planning Department than to protect the integrity and quality of life in a residential neighborhood from unwarranted commercialization. Several years ago, when the Planning Commission and City Council, against the wishes of local residents, approved the zoning change and commercial project on the east side of Rancho, just south of Charleston, we were told, "After this one variance, we will not allow any more commercial establishments on Rancho between Charleston and Sahara." If approved, it will be only the first of a domino effect along Rancho, until all the houses become commercial establishments, as has occurred along Jones.

We know that Las Vegas is growing. We also know that proper planning of growth is designed to protect the integrity of residential neighborhoods and provide appropriate placement of commercial enterprises. Rezoning residential property to allow intrusion of a commercial business in a group of long-established residential neighborhoods is not appropriate, at all. In this case, it is intrusion into one of the oldest and most beautiful group of neighborhoods left in Las Vegas - Scotch Eighties, McNeil Estates, Rancho Bonito and Glen Heather.

Your responsibility as the Director of the Department of Planning is not only to protect residential neighborhoods from deterioration, it is also to promote stability and beautification in those areas. With that in mind, it just might be time to revisit the concept, as discussed with previous administrations, of the City purchasing the property site in question and making it a "pocket park". This pocket park would not only beautify a long-standing eyesore, but would remove it as a target forever from those interested only in maximizing profit at the expense of destroying the remaining few long-established and well-maintained lovely residential areas in Las Vegas.

Sincerely,


Susan R. Parker


Edson O. Parker

GPA-3977
ZON-3981
SDR-3982
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DEVELOPMENT

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT RELATED TO ZON-3987 AND SDR-3988 - PUBLIC HEARING - GPA-3985 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: O (OFFICE) on 1.30 acres adjacent to the south side of Via Olivero Avenue, approximately 950 feet east of Buffalo Drive (APN: a portion of 163-03-402-017), Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED – UNANIMOUS

To be heard by the City Council on 5/5/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 31 [GPA-3985], Item 32 [ZON-3987] and Item 33 [SDR-3988].

GARY LEOBOLD, Planning and Development Department, explained that the General Plan Amendment is designed to facilitate the development of office and retail use on the overall site, as well as re-designate a portion of the site from R (Rural) to O (Office). The overall site is 4.86 acres. Historically, there was a band of rural designated land that was applied in this area to protect the desert rural low-density residential area to the north of Via Olivero Avenue.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 31 – GPA-3985

MINUTES – Continued:

Many of these sites have been converted to O or SC with limitations regarding access, design and building heights. Therefore, the General Plan Amendment only applies to the northern section. The remaining portion of the site is currently designated as SC and will remain as such. Approximately 40% of the northern portion is within a Rural Preservation Neighborhood buffer. MR. LEOBOLD pointed out that the good cause is reflected in the fact that there are no residential uses on this land between Via Olivero Avenue and Sahara Avenue. The applicants held a neighborhood meeting regarding the General Plan Amendment on March 15th and one individual attended with no objection to the proposal. Staff recommended approval.

With regards to the rezoning application, it is a two-part rezoning. The piece that is subject to the General Plan Amendment from R (Rural Density) to O (Office), would be rezoned from U (Undeveloped) zone to O (Office). The portion of the site that is currently SC (Service Commercial) would be rezoned from U to C1, (Limited Commercial), which is zoned for SC Land Use areas. As a result, the rezoning requests would conform to the General Plan Land Use and would be consistent with zoning that is in place along this portion of Sahara Avenue in both directions. Staff recommended approval.

MR. LEOBOLD explained that the initial request was for a 42,400 square foot office with 12,800 square feet of retail. After discussions with the applicant, the plan was revised. The one-story office building was divided into two buildings. MR. LEOBOLD presented a schematic on the overhead showing a larger and a smaller office building on the site. The retail component on Sahara Avenue is unaffected. The project conforms to code requirements, with the exception of the requested foundation-landscaping waiver, which is appropriate. They need to show four loading zones rather than two, as well as additional landscaping along the front of the site on Sahara Avenue. The applicants indicated that these issues would be addressed in the redesign. The site plan contains features that will eliminate impact on the low-density properties to the north, including low building heights at 20 feet; site illumination that is muted in the rear; no vehicular access to Via Olivero Avenue; heavy landscaping and berming along Via Olivero Avenue; and elimination of the sidewalk to preserve the rural feel of this area. MR. LEOBOLD presented a video illustrating other adjacent properties with similar features, such as landscaping. Since the General Plan and Rezoning request are consistent with long-range planning for the area, staff recommended approval.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 31 – GPA-3985

MINUTES – Continued:

GEORGE ROGERS, Architect, 4625 South Polaris Avenue, appeared on behalf of the applicant, KATHRYN ONG, who is one of the owners of the property and was also present. MR. ROGERS stated that the zone change and the General Plan Amendment are required. He felt that the neighborhood to the north of this plan is protected just as well as other adjacent properties with the landscape buffer, the wall and an O (Office) designation. He asked that the Commission approve the proposed project.

ROBERT LEEDS resides on South Pioneer Way and indicated that a meeting was held and the neighbors do not have particular issues with the proposed project, but asked that certain conditions be enforced in the construction of the facilities. He was pleased that there would no access onto Via Olivero Avenue. He expressed concern that homes valued at almost \$2,000,000 look over dealerships that have four-feet high barrier walls between the residential and commercial properties. He asked that an eight-foot wall be built along Via Olivero Avenue to alleviate that particular view. Thirdly, he pointed out that the dealerships have installed light poles approximately 100 feet high and directed outward making it difficult to watch television because the houses are completely illuminated. He asked that any lighting be directed downward.

JAMECE BARCELON, 2270 South Pioneer Way, presented a letter from her neighbor who resides at 2271 South Pioneer Way. MS. BARCELON concurred with MR. LEEDS' concerns and was pleased that the vehicular access onto Via Olivero Avenue is not being considered. She was concerned about the reduction of the landscaping. It is a nice neighborhood, and there are residential homes up to Buffalo Drive, on the south side of Via Olivero Avenue. She understands that retail needs do be along the Sahara Avenue corridor, but asked for consideration of a neighborhood friendly design.

SCOTT SHIELDS appeared on behalf of his clients, ROXANNE SHERIDAN and GIL PURCELL, who own property at 2281 Pioneer Way. Their property is located directly across the street from the proposed project. His clients purchased the multi-million dollar home in 1992. Although they do not oppose the property being developed, they are concerned about the lighting overflowing into their backyard. In addition, employees from the dealership park along Via Olivero Avenue, creating noise pollution, not to mention, a parking lot effect. Currently, there is a 4½-foot concrete dividing wall separating their backyard from Via Olivero Avenue. He asked that the wall be raised to eight feet to create a sound barrier and provide additional privacy.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 31 – GPA-3985

MINUTES – Continued:

TOM McGOWAN, Las Vegas resident, clarified with ROBERT GENZER, Director, Planning and Development Department, that the light poles are not a hundred feet high. In this particular case, a condition limits the height of any light pole to 20 feet. MR. McGOWAN asked what steps have been taken by the developer to protect the privacy of the adjacent property owners. He does not object to the development.

MR. LEOBOLD clarified that conditions were erroneously added on the backup for the General Plan Amendment. In addition, he pointed out that a 20-foot wide utility easement along the back of the property will add to the landscaping that is required on the outside of the wall.

MR. ROGERS reassured the neighbors that all their comments would be taken into consideration. In fact, he was amenable adding a condition that the wall along Via Olivero Avenue would be eight feet. There are no driveways, and the light poles are limited to 20 feet. The site plan depicts some covered parking adjacent to Via Olivero Avenue, which should eliminate any light poles. Lastly, MR. ROGERS indicated that even though some foundation landscaping is not around some of the buildings, it does not mean the landscape buffers are not around the property. In fact, staff found that the application did not have sufficient trees and recommended additional trees be provided. MR. ROGERS concurred with all of those conditions. He asked that the Commission approve the Site Plan presented tonight. MR. LEOBOLD commented that the difference is the plan shows two buildings rather than the initial application that was submitted for one office building.

CHAIRMAN TRUESDELL stated that he did not have a problem with the General Plan Amendment and believes it is appropriate for this particular corridor. However, he was concerned about the site plan, and asked what type of tenants would occupy the two buildings. MR. ROGERS replied that the rear buildings are intended for multi-office and professional tenants. The building in the front is intended for retail.

MR. LEOBOLD confirmed with COMMISSIONER McSWAIN that Condition 3 in the original site plan would also be applicable to the plan. COMMISSIONER McSWAIN commented this would take care of any concerns regarding ingress and egress to the rear of the building because the approval would be based on the current plan. MR. LEOBOLD further confirmed that architectural features would be addressed in Condition 7. COMMISSIONER McSWAIN requested that a condition be added that the height of the block wall be eight feet, and that there be no ingress or egress onto Via Olivero Avenue.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 31 – GPA-3985

MINUTES – Continued

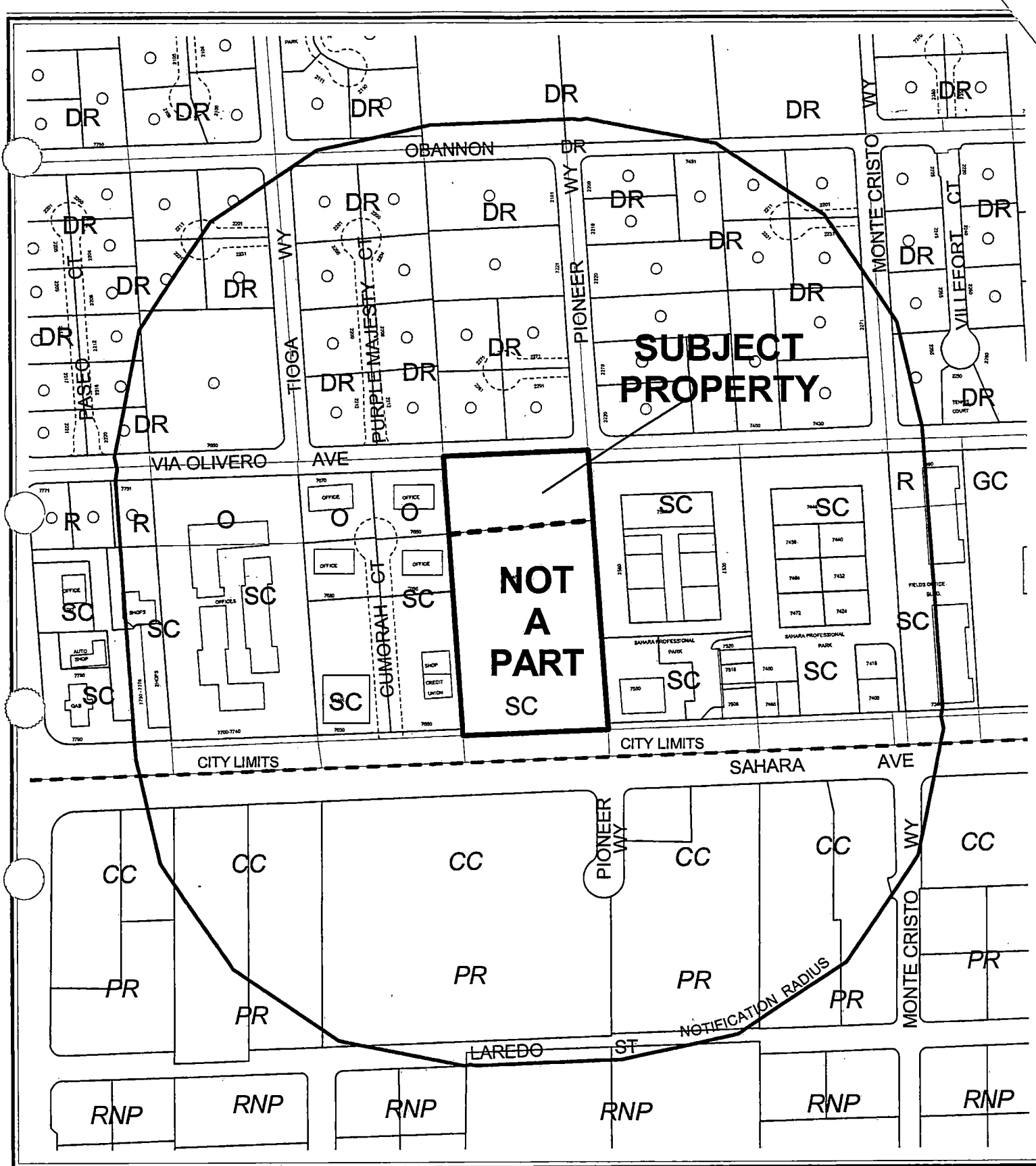
ROBERT GENZER, Director, Planning and Development Department, asked that the block wall condition be specific to the Via Olivero Avenue frontage so that they would be allowed to do six feet along the east side property line. In response to DEPUTY CITY ATTORNEY BRYAN SCOTT'S query regarding the submission of the new site plan, MR. LEOBOLD indicated that it could reflect the date that the site plan was received or presented. COMMISSIONER McSWAIN amended Condition 3 to reflect that the development conform to the site plan submitted at this meeting.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 31 [GPA-3985], Item 32 [ZON-3987] and Item 33 [SDR-3988].

NOTE: All discussion for Item 31 [GPA-3985], Item 32 [ZON-3987] and Item 33 [SDR-3988] was held under Item 31 [GPA-3985].

(7:44 – 8:07)
2-560



CASE: GPA-3985

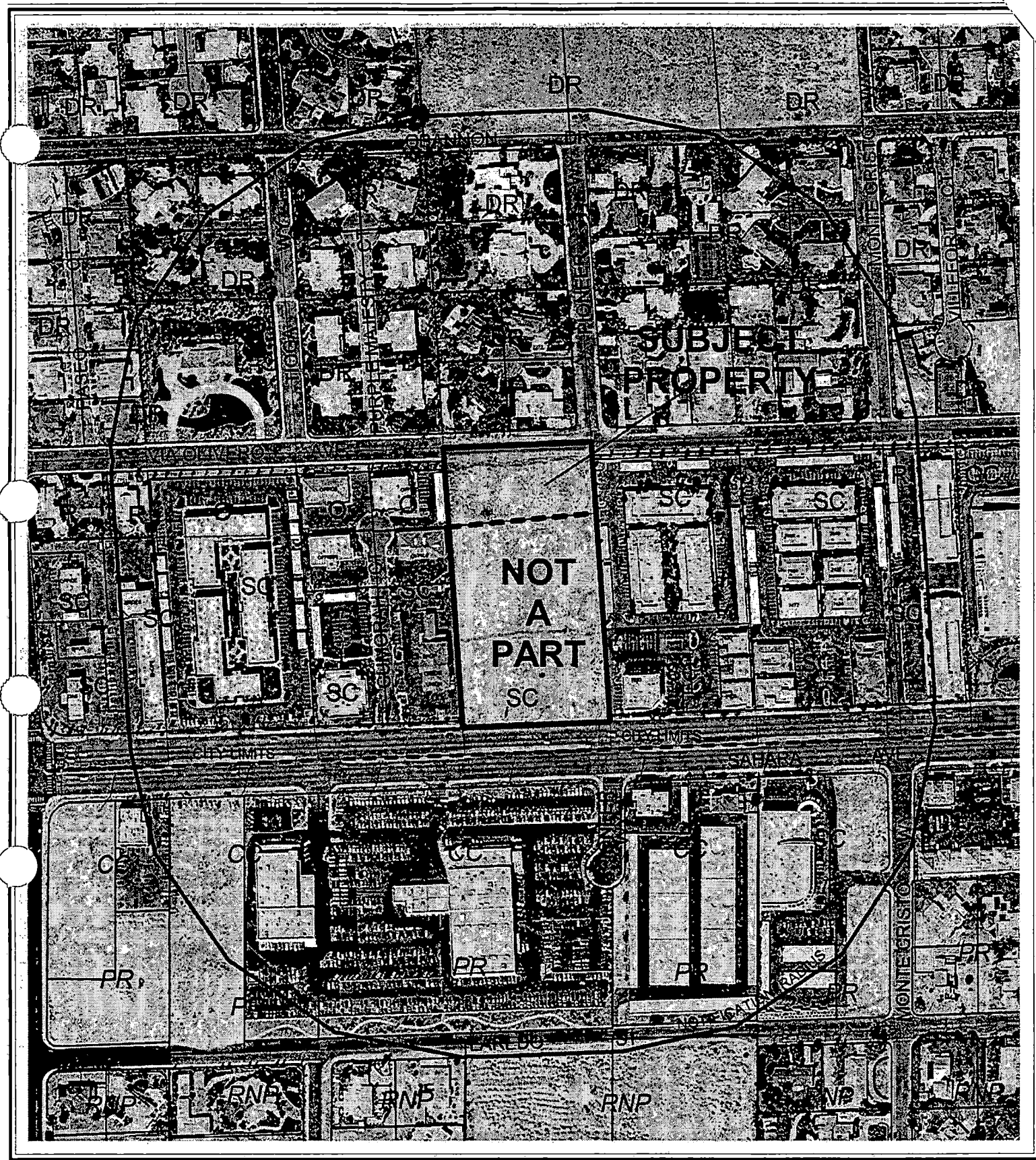
RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: O (OFFICE)

0 200 400 Feet





CASE: GPA-3985

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY: R (RURAL DENSITY RESIDENTIAL)

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AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: REZONING RELATED TO GPA-3985 and SDR-3988 -
PUBLIC HEARING - ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG
PARTNERS, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A General Plan Amendment (GPA-3985) to an O (Office) land use designation on a portion of the site approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-3988) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

Public Works

5. Dedicate 30 feet of right-of-way adjacent to this site for Via Olivero Avenue and dedicate an additional 14.5 feet of right-of-way for a total half-street width of 75 feet on Sahara Avenue adjacent to this site prior to the issuance of any permits.
6. Construct all incomplete half-street improvements on Via Olivero Avenue and Sahara Avenue adjacent to this site concurrent with development of this site. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine

additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site..

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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Rezoning from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on the 4.86-acre site, adjacent to the north side of Sahara Avenue approximately 950 feet east of Buffalo Drive. Approval of this Rezoning request will allow the applicant to develop 42,400 square feet of office space in two buildings and a 12,800 square-foot retail building on the subject site.

Related requests to change the General Plan land use designation (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Site Development Plan Review for the office and retail buildings (SDR-3988) will also be reviewed concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed Rezoning will be compatible with commercial and office zoning currently in place to the east, south and west of the subject site.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.
- 04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.
- 04/08/04 The City Council will concurrently consider companion requests for a change the General Plan land use designation (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Site Development Plan Review for the office and retail buildings (SDR-3988).

B) Pre-Application Meeting

01/30/04 At the pre-application meeting, the issues raised included the need for dedication of Via Olivero Avenue to match the existing right-of-way and other Public Works issues, a limit of 60% for the glazing on the front of the proposed retail building, and certain revisions to be made for the submittal, including handicap spaces, elevations of retail structure, a landscape plan with appropriate details, and a detail of the proposed carports.

C) Neighborhood Meetings

03/15/04 There were three representatives present at the required General Plan Amendment Neighborhood Meeting. One resident attended who had questions, but there were no objections to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings (across Via Olivero Avenue)
South: Clark County
East: Offices and Financial Uses
West: Offices and Financial Uses

C) Planned Land Use

Subject Property: R (Rural Density Residential) and SC (Service Commercial)
North: DR (Desert Rural Density Residential)
South: Clark County
East: SC (Service Commercial)
West: SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North: R-E (Residence Estates)
South: Clark County
East: C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West: C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan currently designates this site as a combination of R (Rural Density Residential) and SC (Service Commercial). The intent was to ensure that the northern 130 feet (eastern edge) to 144 feet (western edge) of the net site area (the portion designated as R) was developed at lower density and would act as a transition to the Desert Rural residential area to the north of the site, across Via Olivero Avenue. A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 net acres of the site to O (Office), which allows for business, professional and financial offices for individuals, civic, social, fraternal, and other non-profit organizations. The proposed O (Office) Zoning District is in conformance with the proposed O (Office) land use designation. The southern 3.49 net acres of the site will remain as SC (Service Commercial). The proposed C-1 (Limited Commercial) Zoning District is in conformance with the existing SC (Service Commercial) land use designation on this portion of the site.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

The northern 265 feet of the 590-foot deep site lies within the 330-foot buffer area of residential lands to the north of the site that qualify as a rural preservation area (RPN) pursuant to state legislation (NRS); however, the RPN is located within the City, and is not a County RPN. The City has the authority to allow a greater density or intensity of use "for good cause" within a buffer area. The southern 330 feet of the site would have no restriction for commercial development under State law due to the frontage of the site on a road with a width greater than 99 feet (Sahara Avenue). Due to the presence of a significant amount of office and commercial development in this area, it is recommended that the site not be subject to development restrictions pursuant to RPN law. There are no other Special Area Plans, Overlay Districts, Study Areas, Trails, or other planning policies that affect this site.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The existing General Plan designation of the subject site is a combination of R (Rural Density Residential) and SC (Service Commercial). A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 acres of the site to O (Office), which allows for the development of office uses. The proposed zoning change to the O (Office) Zoning District would be in conformance with the proposed O (Office) land use designation. The southern 3.49 acres will remain as SC (Service Commercial). The proposed C-1 (Limited Commercial) Zoning District is in conformance with the existing SC (Service Commercial) land use designation on this portion of the site.

- 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 development that is shown on the companion Site Development Plan to this rezoning application (SDR-3988) is intended to comply with both the O (Office) and SC (Service Commercial) land use designations and the proposed O (Office) and C-1 (Limited Commercial) Zoning Districts. The proposed project will be compatible with office and financial services activities to the west and east of the site, and the auto dealership across Sahara Avenue to the south.

Low density residential development to the north of the site is to be protected by the placement of a significant amount of perimeter landscaping along the outside of the perimeter wall, with no vehicular access to this low-density residential area.

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

The subject site represents an infill parcel primarily surrounded by existing office development, with some limited commercial development in the area. It is appropriate to continue to develop the area along Sahara Avenue with office development that can act as a transitional buffer to the area of Desert Rural residential development on the other side of Via Olivero Avenue to the north of the site, as long as these residential areas are buffered from any impacts that may occur as a result of office development, such as noise and light, and are protected from any traffic and parking impacts. These issues will be addressed as part of the Site Development Plan Review process.

- 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 subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

ZON-3987 - Staff Report Page Five
April 8, 2004 Planning Commission Meeting

NOTICES MAILED 79 (Mailed with GPA-3985 and SDR-3988)

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: GPA-3985 APN: 163-03-402-017Name of Property Owner: John Lee/ Ong Partners LLCName of Applicant: John Lee/ Ong Partners

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Kenny OngPrint Name: Kenny Ong

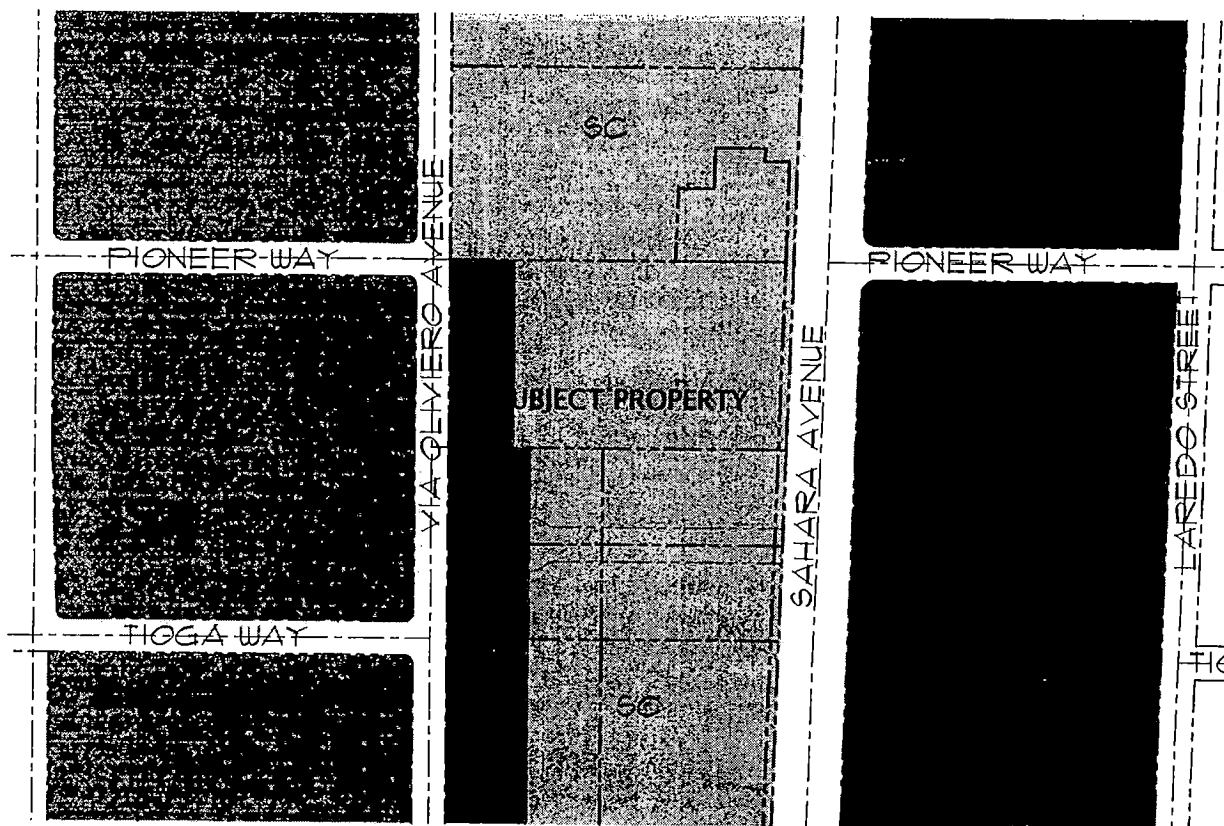
Subscribed and sworn before me

This 20th day of February, 2004James C. Chachas
Notary Public in and for said County and State

Revised 2/12/02

JAMES C. CHACHAS
Notary Public, State of Nevada
Appointment No. 02-72935-1
My Appt. Expires Nov. 1, 2005

C:\depot\Application Packet\Statement of Financial Interest.doc



CLARK COUNTY
 ■ C = COMMERCIAL
 ■ I = INDUSTRIAL

CITY OF LAS VEGAS
 ■ SC = SERVICE COMMERCIAL
 ■ O = OFFICE
 ■ R = RESIDENTIAL
 ■ DR = DESERT RURAL

GENERAL PLAN DESIGNATIONS



OFFICE/ RETAIL DEVELOPMENT
 LAS VEGAS, NEVADA

GPA-3985
 04-08-04 PC



GPA-3985 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GPA-3985 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-3985 AND SDR-3988 - PUBLIC HEARING - ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] TO: O (Office) and FROM: U (Undeveloped) [SC (Service Commercial) General Plan Designation] TO: C-1 (Limited Commercial) on 4.86 acres adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN: 163-03-402-017), Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 5/5/2004

MINUTES:

NOTE: See Item 31 [GPA-3985] for all related discussion.

(7:44 – 8:07)

2-560

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-3985) to an O (Office) land use designation on a portion of the site approved by the City Council.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 32 – ZON-3987

CONDITIONS – Continued:

2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application (SDR-3988) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. The south side of Via Olivero Avenue shall be developed with landscaping and berming and without a sidewalk, using a design consistent with that on other developed parcels on the south side of Via Olivero Avenue.

Public Works

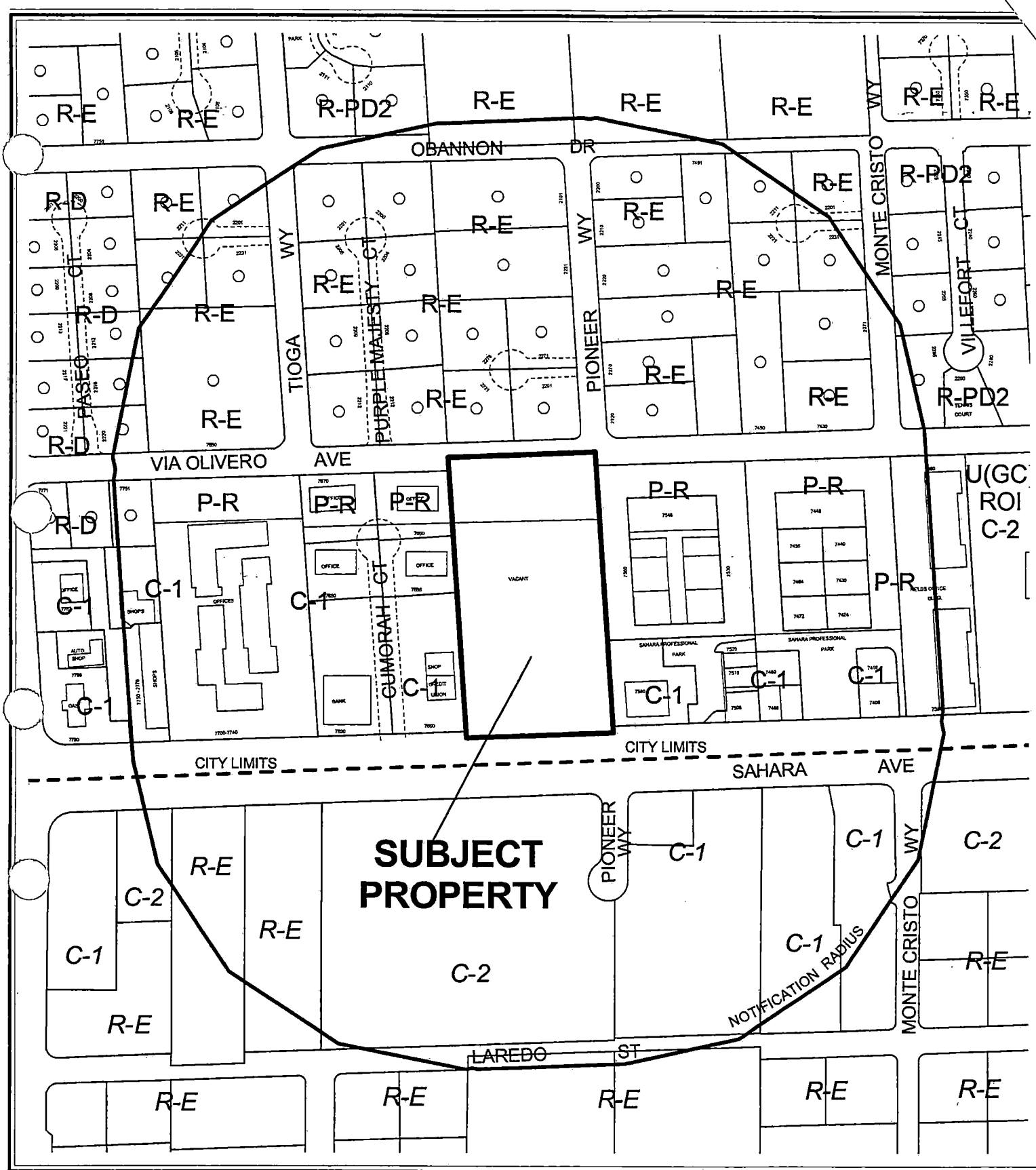
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PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 32 – ZON-3987

CONDITIONS – Continued:

Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site..

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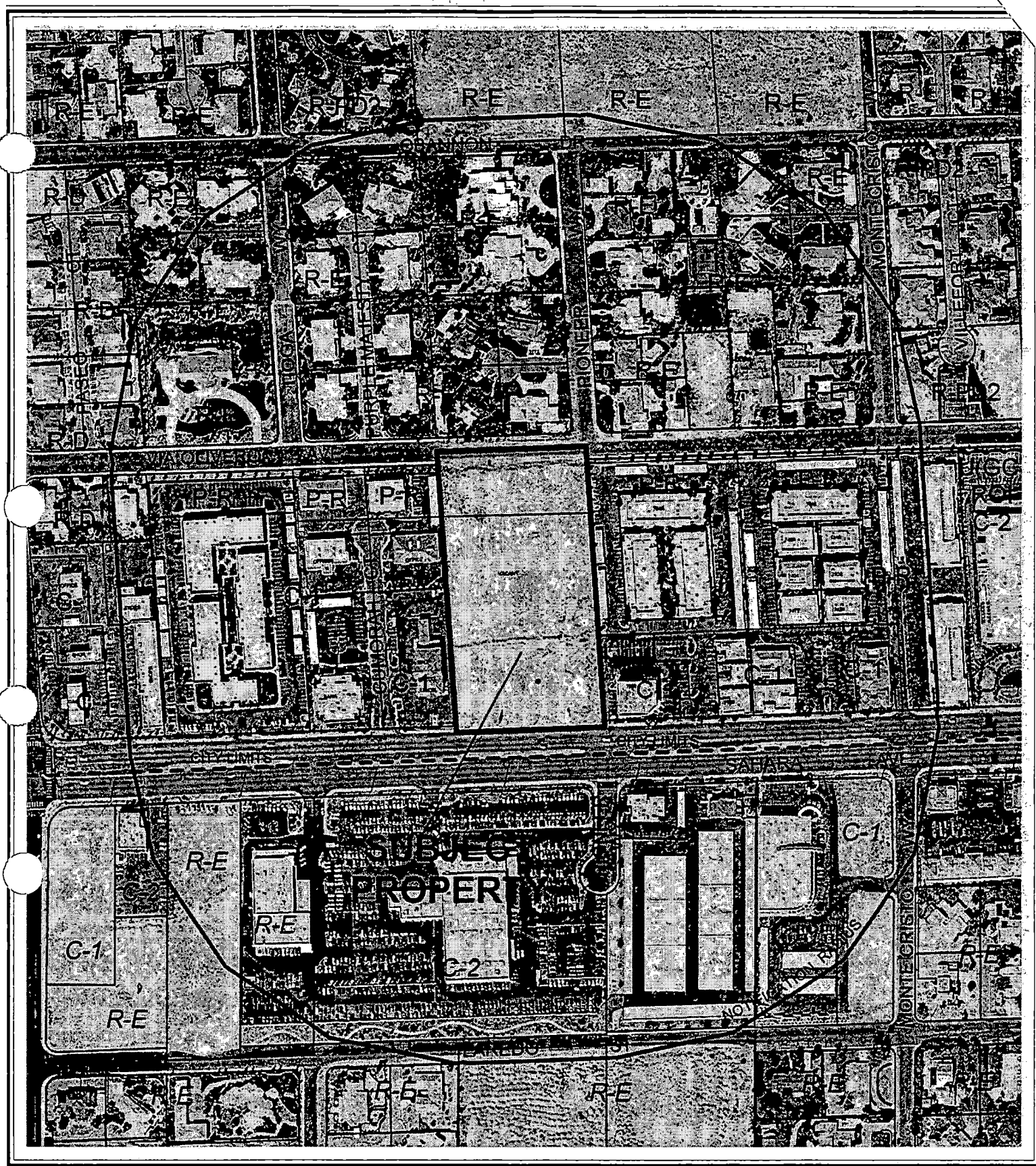
CASE: ZON-3987

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN
DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE) AND C-1 (LIMITED COMMERCIAL)



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AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: REZONING RELATED TO GPA-3985 and SDR-3988 -
PUBLIC HEARING - ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG
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North: DR (Desert Rural Density Residential)
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West: SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North: R-E (Residence Estates)
South: Clark County
East: C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West: C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan currently designates this site as a combination of R (Rural Density Residential) and SC (Service Commercial). The intent was to ensure that the northern 130 feet (eastern edge) to 144 feet (western edge) of the net site area (the portion designated as R) was developed at lower density and would act as a transition to the Desert Rural residential area to the north of the site, across Via Olivero Avenue. A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 net acres of the site to O (Office), which allows for business, professional and financial offices for individuals, civic, social, fraternal, and other non-profit organizations. The proposed O (Office) Zoning District is in conformance with the proposed O (Office) land use designation. The southern 3.49 net acres of the site will remain as SC (Service Commercial). The proposed C-1 (Limited Commercial) Zoning District is in conformance with the existing SC (Service Commercial) land use designation on this portion of the site.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

The northern 265 feet of the 590-foot deep site lies within the 330-foot buffer area of residential lands to the north of the site that qualify as a rural preservation area (RPN) pursuant to state legislation (NRS); however, the RPN is located within the City, and is not a County RPN. The City has the authority to allow a greater density or intensity of use "for good cause" within a buffer area. The southern 330 feet of the site would have no restriction for commercial development under State law due to the frontage of the site on a road with a width greater than 99 feet (Sahara Avenue). Due to the presence of a significant amount of office and commercial development in this area, it is recommended that the site not be subject to development restrictions pursuant to RPN law. There are no other Special Area Plans, Overlay Districts, Study Areas, Trails, or other planning policies that affect this site.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The existing General Plan designation of the subject site is a combination of R (Rural Density Residential) and SC (Service Commercial). A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 acres of the site to O (Office), which allows for the development of office uses. The proposed zoning change to the O (Office) Zoning District would be in conformance with the proposed O (Office) land use designation. The southern 3.49 acres will remain as SC (Service Commercial). The proposed C-1 (Limited Commercial) Zoning District is in conformance with the existing SC (Service Commercial) land use designation on this portion of the site.

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 development that is shown on the companion Site Development Plan to this rezoning application (SDR-3988) is intended to comply with both the O (Office) and SC (Service Commercial) land use designations and the proposed O (Office) and C-1 (Limited Commercial) Zoning Districts. The proposed project will be compatible with office and financial services activities to the west and east of the site, and the auto dealership across Sahara Avenue to the south.

Low density residential development to the north of the site is to be protected by the placement of a significant amount of perimeter landscaping along the outside of the perimeter wall, with no vehicular access to this low-density residential area.

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

The subject site represents an infill parcel primarily surrounded by existing office development, with some limited commercial development in the area. It is appropriate to continue to develop the area along Sahara Avenue with office development that can act as a transitional buffer to the area of Desert Rural residential development on the other side of Via Olivero Avenue to the north of the site, as long as these residential areas are buffered from any impacts that may occur as a result of office development, such as noise and light, and are protected from any traffic and parking impacts. These issues will be addressed as part of the Site Development Plan Review process.

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 subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

ZON-3987 - Staff Report Page Five
April 8, 2004 Planning Commission Meeting

NOTICES MAILED 79 (Mailed with GPA-3985 and SDR-3988)

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: ZON-3987 APN: 163-03-402-017Name of Property Owner: John Lee/ Ong Partners LLCName of Applicant: John Lee/ Ong Partners

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Kenny OngPrint Name: Kenny Ong

Subscribed and sworn before me

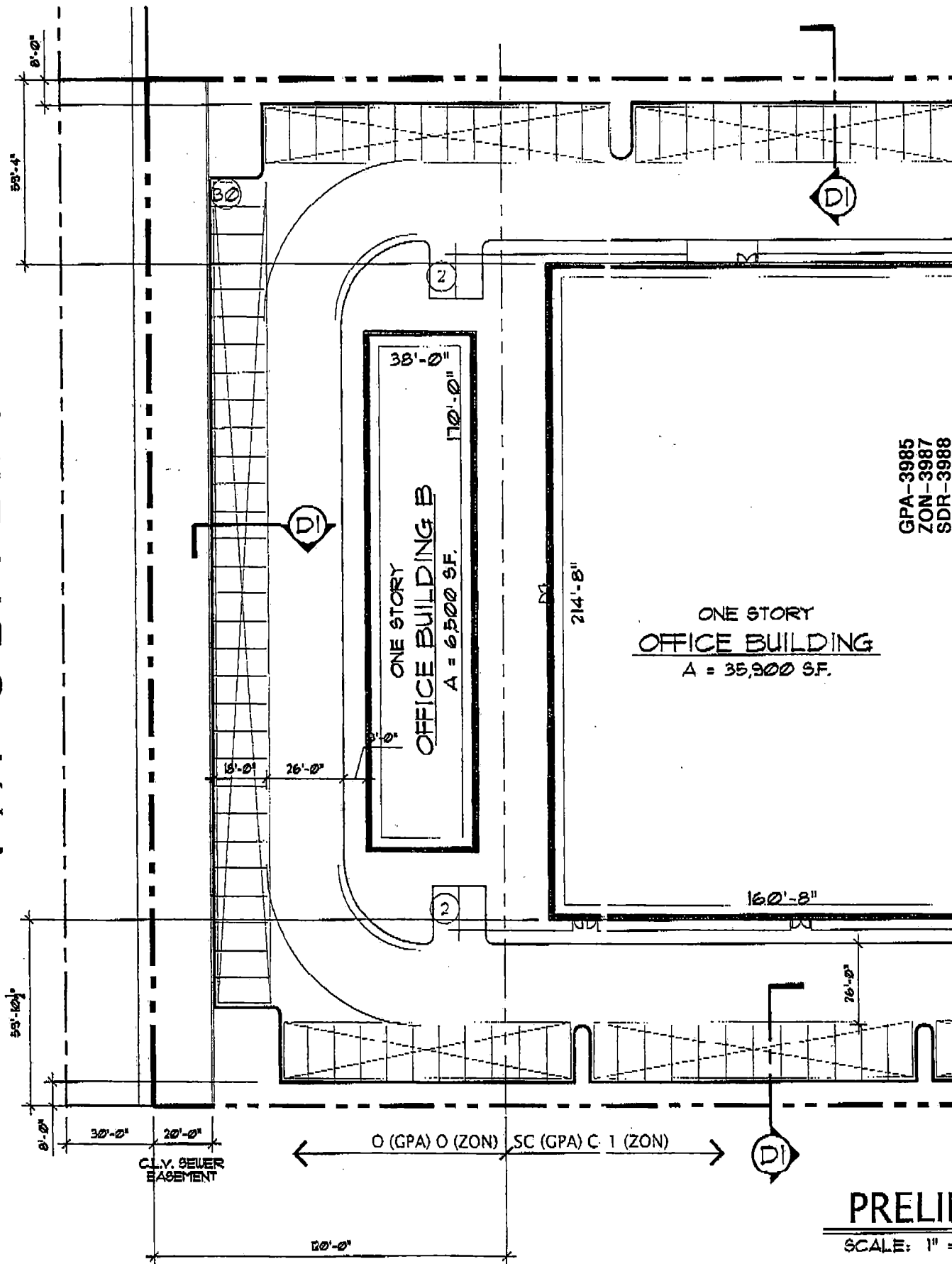
This 20th day of February, 2004James C. Chachas
Notary Public in and for said County and State

Revised 2/12/02

JAMES C. CHACHAS
Notary Public, State of Nevada
Appointment No. 02-72935-1
My Appt. Expires Nov. 1, 2005

E:\depot\Application Packet\Statement of Financial Interest.doc

VIA OLIVERO AVENUE



GPA-3985
ZON-3987
SDR-3988
04-08-04 PC
REVISED 04-05-04

PRELIM
SCALE: 1" = '

04-297

FACT SHEET

FRONT	20'-0"	25'-7"	(SOUTH)
INTERIOR	10'-0"	14'-0"/6'-4"	(W/ E)
SIDE/ CORNER	15'-0"	--	N/A
REAR	10'-0"	93'-2"	(NORTH)

JURISDICTIONAL AGENCY: CITY OF LAS VEGAS

CODE USED: TITLE 19 (LAS VEGAS ZONING CODE)

ASSESSOR'S PARCEL NO.: 163-03-402-017

NET SITE AREA: = 197,081 SF (4.52 ACRES)

SITE/BUILDING RATIO: = 50% (MAX.)
ACTUAL: 28%

BUILDING HEIGHT = 35'-0"

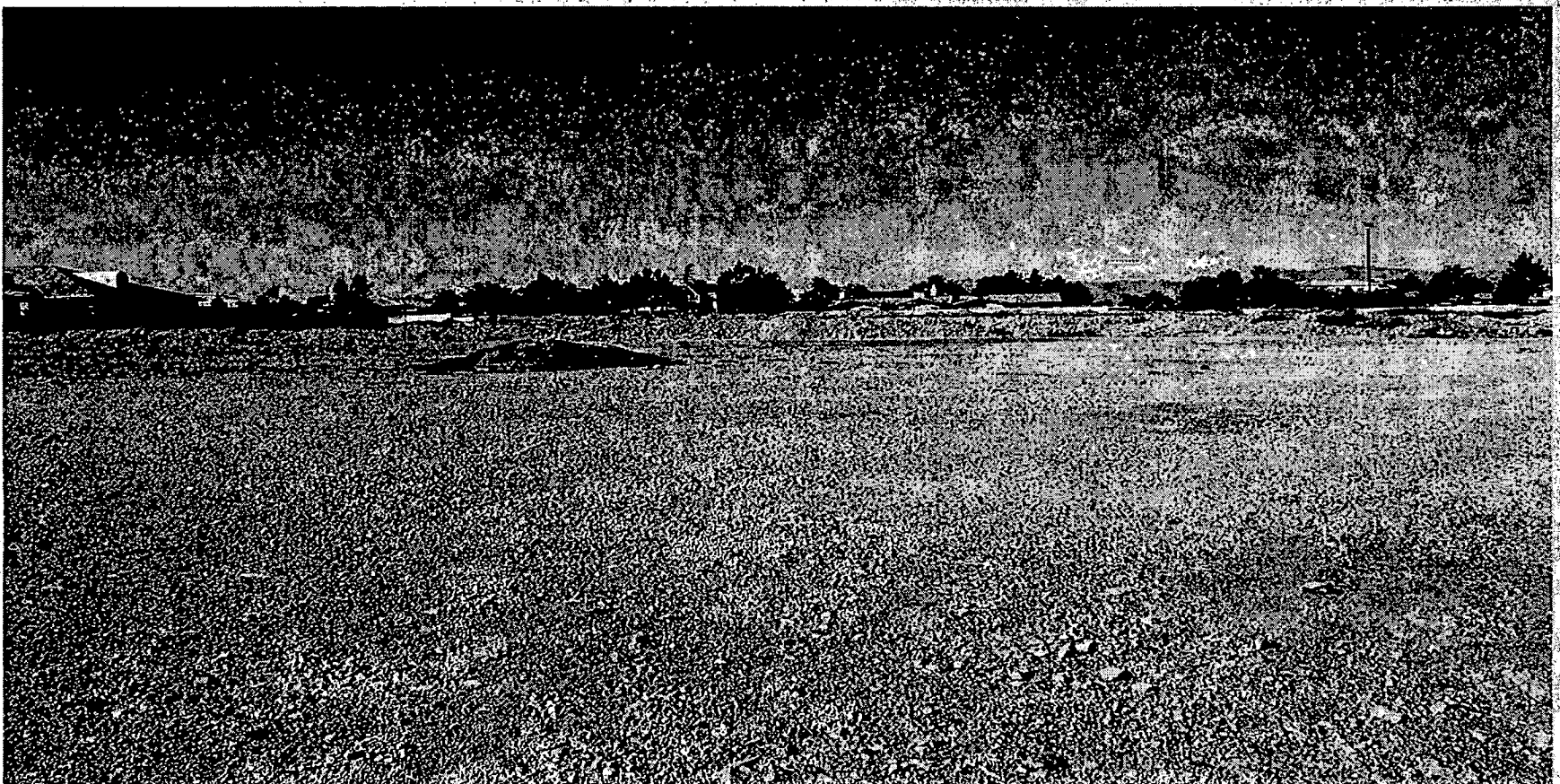
BUILDING DESIGNATION	BUILDING AREA	PARKING SUMMARY	
		REQUIRED	PROVIDED
OFFICE BLDG. A	35,900 SF	120 (1/300 SF)	151 (3.56/ 1,000 SF)
OFFICE BLDG. B	6,500 SF	22 (1/300 SF)	
RETAIL BLDG.	12,800 SF	73 (1/175 SF)	90
TOTAL	55,200 SF	215	227

HANDICAP PARKING

REQUIRED: 1 (CHAPTER 19.10, TABLE 2)

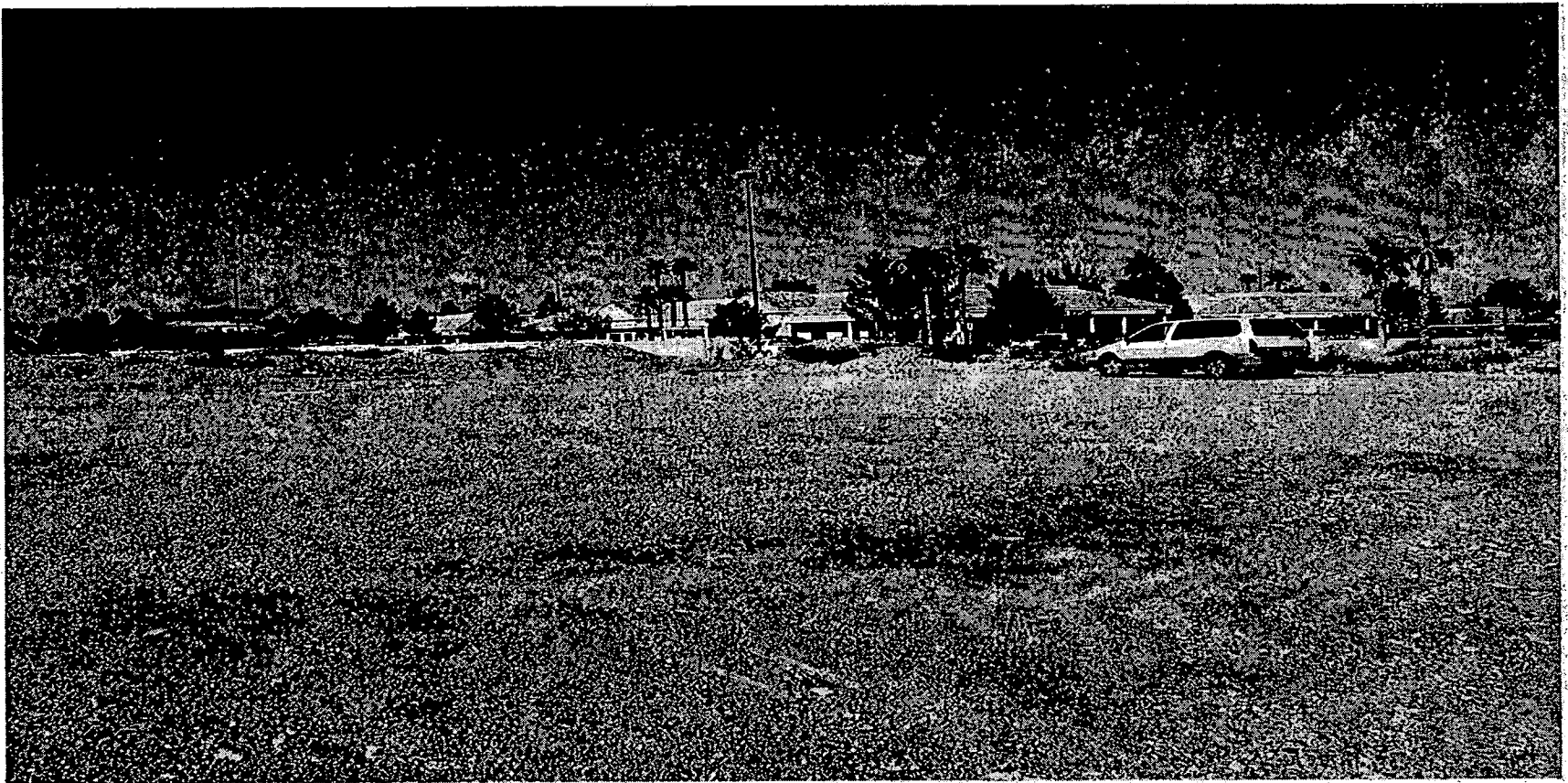
PROVIDED: 1 (TOTAL SITE)

GPA-3985
ZON-3987
SDR-3988
04-08-04 PC
REVISED 04-05-04



ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-3987 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-3985 AND ZON-3987 - PUBLIC HEARING - SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of foundation landscaping standards FOR A PROPOSED 42,400 SQUARE-FOOT OFFICE BUILDING AND 12,800 SQUARE-FOOT RETAIL BUILDING on 4.86 acres adjacent to the north side of Sahara Avenue, approximately 950 feet east of Buffalo Drive (APN: 163-03-402-017), U (Undeveloped) [R (Rural Density Residential) and [SC (Service Commercial) General Plan Designations], [Proposed: O (Office) and C-1 (Limited Commercial) Zone], Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions, amending Condition 3 that the development conform to the site plan as submitted on 4/8/2004; amending Condition 14 that the height of the block wall fronting on Via Olivero Avenue shall be eight feet; and amending Condition 18 to reflect 4/08/04; and the following added condition:

- *There shall be no ingress or egress on Via Olivero Avenue.*

– UNANIMOUS

To be heard by the City Council on 5/5/2004

MINUTES:

NOTE: See Item 31 [GPA-3985] for all related discussion.

(7:44 – 8:07)

2-560

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 33 – SDR-3988

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-3987) to O (Office) and C-1 (Limited Commercial) Zoning Districts approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect four loading zones.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.
6. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and 30 feet on center to the front and sides of the site.
7. The elevations shall be revised and approved by staff prior to the time application is made for a building permit with additional architectural features to enhance façade articulation.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 33 – SDR-3988

CONDITIONS – Continued:

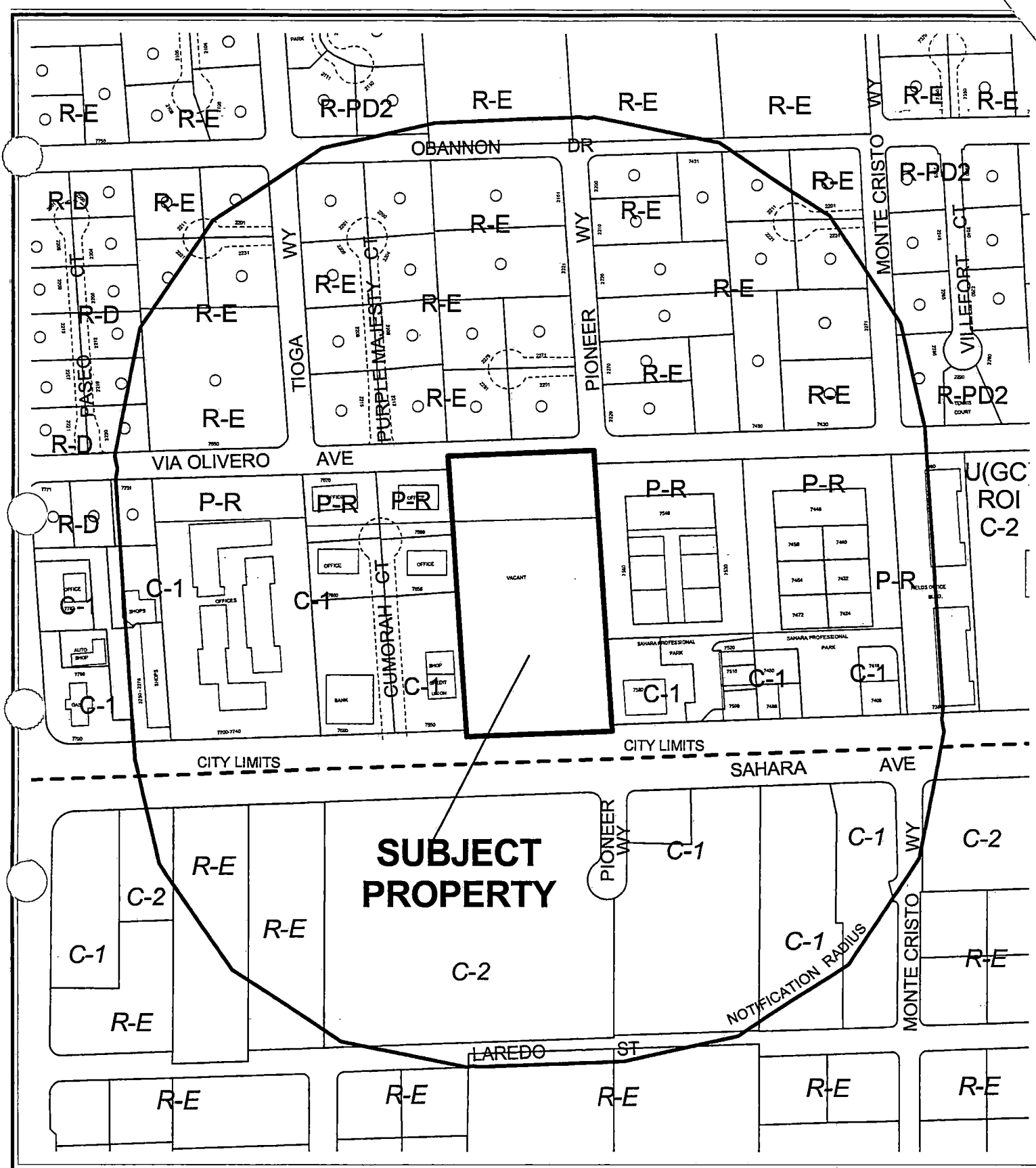
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.
12. A Master Sign Plan shall be submitted for approval by the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050
14. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. In particular, the north wall of the site must be developed so as to eliminate impacts to residential areas to the north. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards must be satisfied.
17. No turf shall be permitted in the non-residential common areas, such as medians and amenity zones in this development.
18. All development shall be in conformance with the site plan and building elevations, date stamped 01/30/04, except as amended by changes submitted on 04/02/04 and by these conditions.
19. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department showing a minimum 12.5 % of the total landscaped area as turf.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 33 – SDR-3988

CONDITIONS – Continued:

Public Works

20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
24. Site development to comply with all applicable conditions of approval for ZON-3987 and all other subsequent site-related actions.



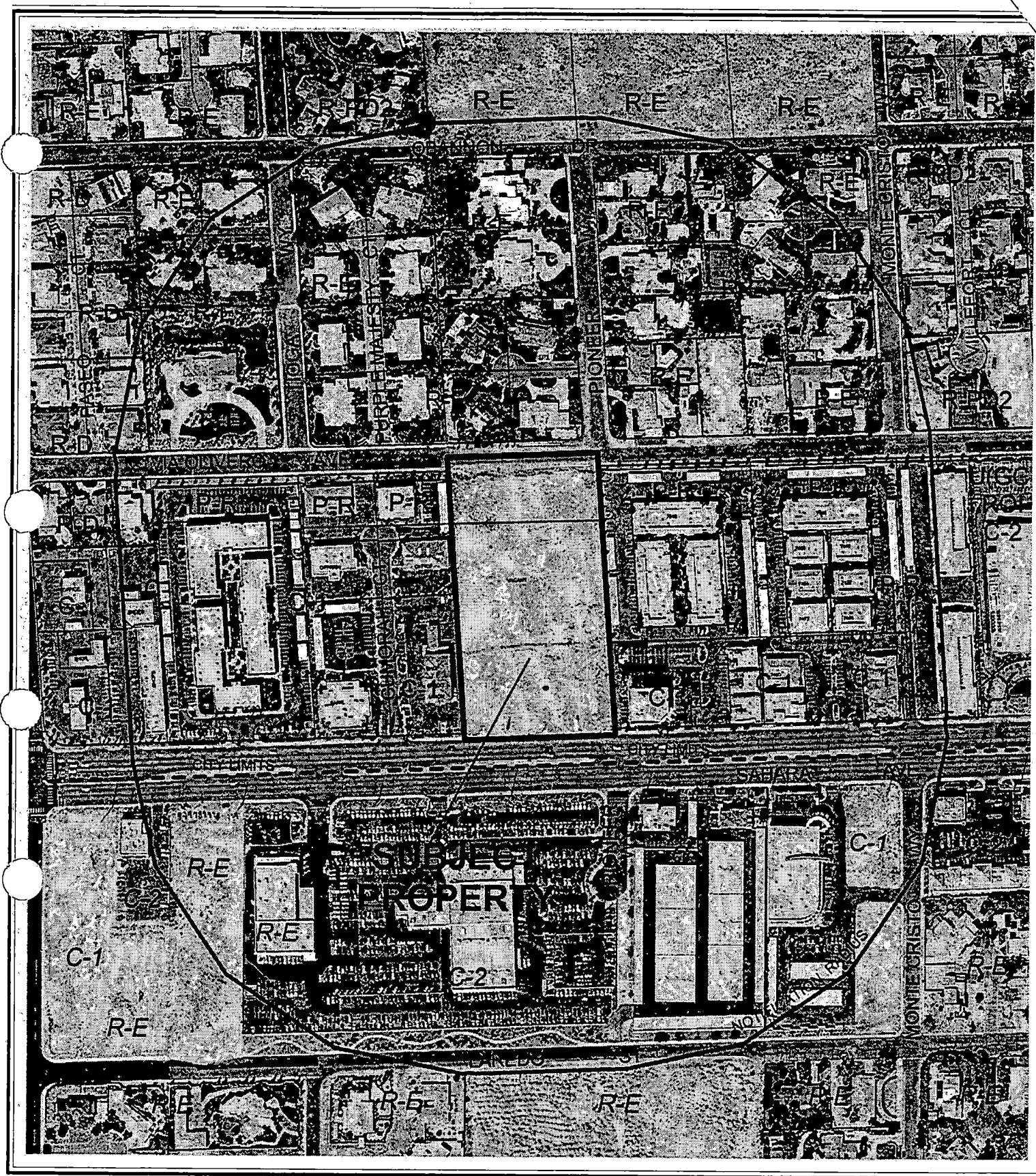
CASE: SDR-3988

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN
DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE) AND C-1 (LIMITED COMMERCIAL)



CASE: SDR-3988

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN
DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE) AND C-1 (LIMITED COMMERCIAL)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-3987) to O (Office) and C-1 (Limited Commercial) Zoning Districts approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an extension of time is granted.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The site plan shall be revised and approved by the Planning and Development Department prior to the time application is made for a building permit, to reflect four loading zones.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site.
6. The landscape plan shall be revised and approved by staff prior to the time application is made for a building permit, to reflect minimum 24 inch box trees 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters to the rear of the site and 30 feet on center to the front and sides of the site.
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10. All mechanical equipment, air conditioners and trash areas shall be fully screened from view of abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize shoebox fixtures and downward directed lights. Wall pack lighting shall utilize shoebox fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting.
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15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards must be satisfied.
17. No turf shall be permitted in the non-residential common areas, such as medians and amenity zones in this development.
18. All development shall be in conformance with the site plan and building elevations, date stamped 01/30/04, except as amended by changes submitted on 04/02/04 and by these conditions.
19. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department showing a minimum 12.5 % of the total landscaped area as turf.

Public Works

20. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

SDR-3988 - Conditions Page Thre
April 8, 2004 Planning Commission Meeting

21. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
22. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and Via Olivero Avenue adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site.
24. Site development to comply with all applicable conditions of approval for ZON-3987 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Site Development Plan Review to develop two office buildings totaling 42,400 square feet, and a 12,800 square-foot retail building on the 4.86-acre site, adjacent to the north side of Sahara Avenue approximately 950 feet east of Buffalo Drive.

Related requests to change the General Plan land use designation (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Rezoning from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) (ZON-3987) will also be reviewed concurrently.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed development will be compatible with commercial and office uses currently developed to the east, south and west of the subject site.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request (A-0009-85) to annex approximately 1,509 acres of land, including the subject site.
- 04/11/96 The Planning Commission accepted a request to withdraw without prejudice a request (GPA-0059-95) to amend the Southwest Sector Plan of the General Plan from R (Rural Density Residential) to Service Commercial. Staff had recommended approval.
- 04/08/04 The City Council will concurrently consider companion requests for a change the General Plan land use designation (GPA-3985) of the northern portion of the property from R (Rural) to O (Office) and a Rezoning from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] to O (Office) and from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) (ZON-3987).

B) Pre-Application Meeting

01/30/04 At the pre-application meeting, the issues raised included the need for dedication of Via Olivero Avenue to match the existing right-of-way and other Public Works issues, the amount of glazing on the front of the proposed retail building, and certain revisions to be made for the submittal, including handicap spaces, elevations of retail structure, a landscape plan with appropriate details, and a detail of the proposed carports.

C) Neighborhood Meetings

03/15/04 There were three representatives present at the required meeting for the General Plan Amendment. One resident attended who had questions, but there were no objections to the project.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 4.89
Net Acres: 4.54

B) Existing Land Use

Subject Property: Undeveloped
North: Single Family Dwellings (across Via Olivero Avenue)
South: Clark County
East: Offices and Financial Uses
West: Offices and Financial Uses

C) Planned Land Use

Subject Property: R (Rural Density Residential) and SC (Service Commercial)
North: DR (Desert Rural Density Residential)
South: Clark County
East: SC (Service Commercial)
West: SC (Service Commercial) and O (Office)

D) Existing Zoning

Subject Property: U (Undeveloped) [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations]
North: R-E (Residence Estates)
South: Clark County
East: C-1 (Limited Commercial) and P-R (Professional Office and Parking)
West: C-1 (Limited Commercial) and P-R (Professional Office and Parking)

E) General Plan Compliance

The Southwest Sector Plan Map of the General Plan currently designates this site as a combination of R (Rural Density Residential) and SC (Service Commercial). The intent was to ensure that the northern 130 (eastern edge) to 144 feet (western edge) of the net site area (the portion designated as R) was developed at lower density and would act as a transition to the Desert Rural residential area to the north of the site, across Via Olivero Avenue. A companion General Plan Amendment (GPA-3985) will redesignate the northern 1.05 net acres of the site to O (Office), which allows for business, professional and financial offices for individuals, civic, social, fraternal, and other non-profit organizations. A companion Rezoning application (ZON-3987) to the proposed O (Office) Zoning District is in conformance with the proposed O (Office) land use designation. The southern 3.49 net acres of the site will remain as SC (Service Commercial). The proposed development is in conformance with the proposed land use designation and zoning district for the site.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood	X	
Development Impact Notification Assessment		X
Project of Regional Significance		X

The northern 265 feet of the 590-foot deep site lies within the 330-foot buffer area of residential lands to the north of the site that qualify as a rural preservation area (RPN) pursuant to state legislation (NRS); however, the RPN is located within the City, and is not a County RPN. The City has the authority to allow a greater density or intensity of use "for good cause" within a buffer area. The southern 330 feet of the site would have no restriction for commercial development under State law due to the frontage of the site on a road with a width greater than 99 feet (Sahara Avenue). Due to the presence of a significant amount of office and commercial development in this area, it is recommended that the site not be subject to development restrictions pursuant to RPN law. There are no other Special Area Plans, Overlay Districts, Study Areas, Trails, or other planning policies that affect this site.

PROJECT DESCRIPTION

The project as originally submitted consisted of a 42,400 square-foot single-story office development, located in a one-story building located in the central portion of the site, and a single-story 12,800 square-foot retail building located towards the front of the property, on the southwest corner of the site. The applicant submitted revised drawings on 04/02/04 showing the same amount of office space divided into two one-story buildings, one in the central part of the

site and one at the rear of the site. All of the buildings currently proposed may be divided into a number of independent business units. The retail building and the larger of the two office buildings will be located on the portion of the site which is currently designated as SC (Service Commercial) and which is proposed to be zoned C-1 (Limited Commercial). The second office building, as well as parking and landscaping, will be located in the northern portion of the site to be designated as O (Office) and zoned as O (Office).

Parking areas surround the structures, with the parking along the perimeter of the site being covered. Vehicular access will be via a shared access point at the eastern boundary of the site, with the project to the east, and a second driveway to Sahara Avenue at the mid-point of the southern boundary of the site. No access will be provided to the site from Via Olivero Avenue to the north, and the northern boundary of the site will be bermed and landscaped so as to minimize and noise or visual intrusion on the low-density residential area to the north of the street. This approach would be in keeping with how other adjacent and nearby sites along Sahara Avenue have been developed.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Las Vegas Zoning Code Sections 19.08 and 19.10, the following Development Standards apply to the subject proposal:

Standards	Required/Provided - (O)	Required/Provided - (C-1)	Compliance
Min. Lot Width	100 Feet/334 Feet	100 Feet/334 Feet	Y
Min. Setbacks			
• Front	25 Feet/N/A	25 Feet/26 Feet	Y
• Side	10 Feet/62 Feet	10 Feet/14 Feet	Y
• Rear	15 Feet/105 Feet	15 Feet/N/A	Y
Max. Lot Coverage	30 % / 0%	50% / 27.9%	Y
Max. Building Height	2 Stories or 35 Feet/ N/A	None / 1 Story or 27 Feet	Y
Trash Enclosure	Yes	Yes	Y
Loading Zone	4 Spaces	2 Spaces	N
Mech. Equipment	Hidden from View	Hidden from View	Y

The proposed development meets all relevant provisions of the Zoning Code, with the exception of the required number of loading zone areas. A condition of approval will address this issue.

A2) Residential Adjacency Standards

This proposal complies with the City's Residential Adjacency Standards.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Offices	42,400 s.f.	1 space /300 s.f.	142 spaces			
Retail, Other Than Listed	12,800 s.f.	1 space /175 s.f.	74 spaces			
Totals	55,200 s.f.		216 spaces	7 spaces	227 spaces	7 spaces

The proposal exceeds the requirement for on-site parking in the Zoning Code.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Lot Landscaping	1 tree/6 spaces	41 trees	30 trees
Minimum Number of Trees Required in Buffers	1-24" box tree/20 linear feet + 1 tree along rear lot line	17 trees	17 trees
	1-24" box tree/30 linear feet + 1 tree along front lot line	12 trees	6 trees
	1-24" box tree/30 linear feet + 1 tree along side lot lines (990 feet total)	33 trees	30 trees
• Min. Zone Width	8 feet		8 feet
• Wall height	6 feet		Not indicated

The perimeter landscaping does not meet the minimum perimeter landscaping requirement of the Zoning Code in certain respects. The applicant is proposing six trees along the front property line, where 12 trees are required, and 30 trees on the sides of the site where 33 trees are required. A condition of approval will require additional trees to be added to meet these Code requirements.

The number of parking lot trees is below the Code requirement; however, since much of the parking is covered, the trees provided in open parking areas exceeds the requirement and can be deemed to comply.

A5) Sign Standards

No signage is proposed at this time for the project, as part of this site plan. A Master Sign Plan will have to be submitted and approved prior to the development of signage for this project. A condition of approval addresses this issue.

B) General Analysis and Discussion

- Zoning

The companion rezoning request (ZON-3987) will rezone the site from U (Undeveloped) Zone [R (Rural Density Residential) and SC (Service Commercial) General Plan Designations] to the O (Office) and C-1 (Limited Commercial) Zones. The proposed site plan will conform to the regulations of these Zoning Districts.

- Site Plan

The site plan shows a total of 42,400 square feet of office development in two one-story building, and 12,800 square feet of retail space in a separate single-story building. The retail building is oriented to Sahara Avenue at the front of the site, with the office building located in the central portion of the site. The larger office building and the retail building will be located on the portion of the site to be zoned C-1 (Limited Commercial), with the O (Office) portion of the site containing the smaller office building as well as parking and landscaping.

Parking areas surround the structures, with the parking along the perimeter of the site being covered. Vehicular access will be via a shared access point at the east boundary of the site, with the property to the east, and a second driveway to Sahara Avenue is located at the mid-point of the southern boundary of the site. A Master Sign Plan is required, as a separate application, to identify signage to be developed on the site.

- Waivers

No Waivers have been requested as part of this application.

- Landscape Plan

The on-site and perimeter landscaping includes 24"-box Blue Palo Verde, Thornless Chilean Mesquite and Mondel Pine, 15-foot Mexican Fan Palms and eight-foot Mediterranean Fan Palms.

Understory plantings include 15-gallon Ocotillo, five-gallon Mexican Bird of Paradise, Green Cloud Texas Ranger and Trailing Lantana, and one-gallon Feathery Cassia and Red Yucca.

Perimeter landscaping is indicated at between ten-foot and 25-foot on center, depending on the species, which exceeds the minimum standard, provided that all such trees are a minimum size of 24" box. Landscaped areas are finished off with large rocks and boulders and gravel mulch. There are no turf areas indicated.

- Elevation

The retail building is indicated as a flat-roofed concrete tilt-up structure with anodized and glazed storefront sections. The office structure is depicted as a flat-roofed building with a brick veneer exterior, with anodized window glazing panels and a metallic column-and-archway feature framing the main entrance to add visual interest.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The proposed development will represent an office and retail complex that will be compatible with office and commercial development to the west, east and south of the site. Where single family development is adjacent to the site to the north, across Via Olivero Avenue, the applicant is proposing to place a significant amount of perimeter landscaping along the outside of the perimeter wall, with no vehicular access to Via Olivero Avenue.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

With the approval of the companion General Plan Amendment (GPA-3985) and Rezoning (ZON-3987) applications to this site plan, the proposed development will be consistent with the General Plan as well as Title 19 and other standards. The conditions

of approval will address minor deficiencies that have been identified in the site plan as submitted.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

The subject site has access to Sahara Avenue, designated as a Primary (150-foot) Arterial on the Master Plan of Streets and Highways. Sahara Avenue will be adequate to meet the requirements of the proposed zoning district.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building and landscape materials are appropriate for this type of development.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The building elevations are typical of office and retail developments in this vicinity and will be compatible with surrounding development. The development of a perimeter wall with a significant amount of landscaping will improve compatibility with adjacent single-family residential development and will improve the aesthetics of development in the area.

6. **"Appropriate measures are taken to secure and protect the public health, safety and general welfare."**

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 79 (Mailed with GPA-3985 and ZON-3987)

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: SPR-3988 APN: 163-03-402-017Name of Property Owner: John Lee/ Ong Partners LLCName of Applicant: John Lee/ Ong Partners

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

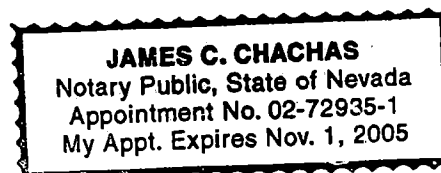
APN: _____

Signature of Property Owner/Authorized Agent: Kenny OngPrint Name: KENNY ONG

Subscribed and sworn before me

This 20th day of February, 2004James C. Chachas
Notary Public in and for said County and State

Revised 2/12/02



f:\4-report\Application Packet\Statement of Financial Interest.doc

04-291

FACT SHEET

FRONT	20'-0"	25'-7"	(SOUTH)
INTERIOR	10'-0"	14'-0"/6'-4"	(W/ E)
SIDE/ CORNER	15'-0"	--	N/A
REAR	10'-0"	93'-2"	(NORTH)

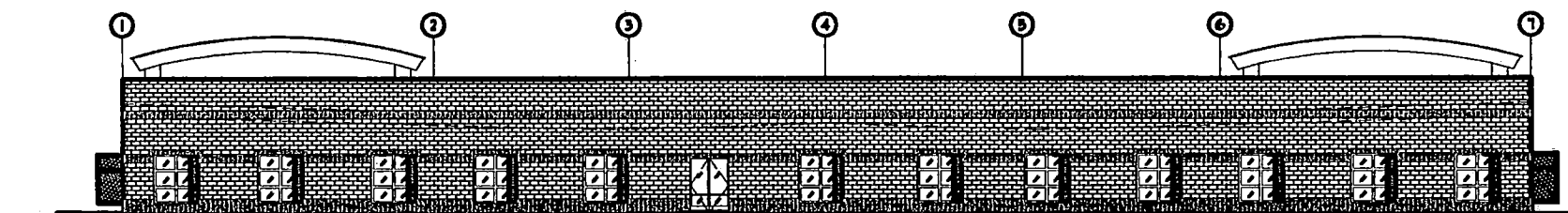
JURISDICTIONAL AGENCY: CITY OF LAS VEGAS
CODE USED: TITLE 19 (LAS VEGAS ZONING CODE)
ASSESSOR'S PARCEL NO.: 163-03-402-017
NET SITE AREA: = 197,081 SF (4.52 ACRES)
SITE/BUILDING RATIO: = 50% (MAX.)
ACTUAL: 28%
BUILDING HEIGHT = 35'-0"

BUILDING DESIGNATION	BUILDING AREA	PARKING SUMMARY	
		REQUIRED	PROVIDED
OFFICE BLDG. A	35,900 SF	120 (1/300 SF)	151 (3.56 / 1,000 SF)
OFFICE BLDG. B	6,500 SF	22 (1/300 SF)	
RETAIL BLDG.	12,800 SF	73 (1/175 SF)	
TOTAL	55,200 SF	215	227

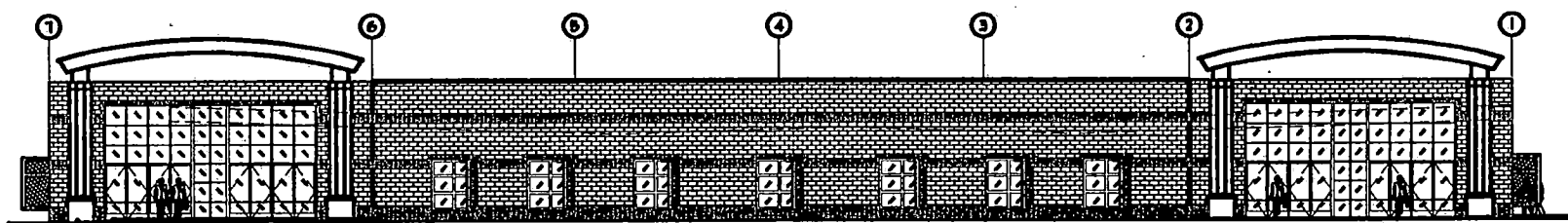
HANDICAP PARKING

REQUIRED: 1 (CHAPTER 19.10, TABLE 2)
PROVIDED: 1 (TOTAL SITE)

GPA-3985
ZON-3987
SDR-3988
04-08-04 PC
REVISED 04-05-04



② REAR ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"

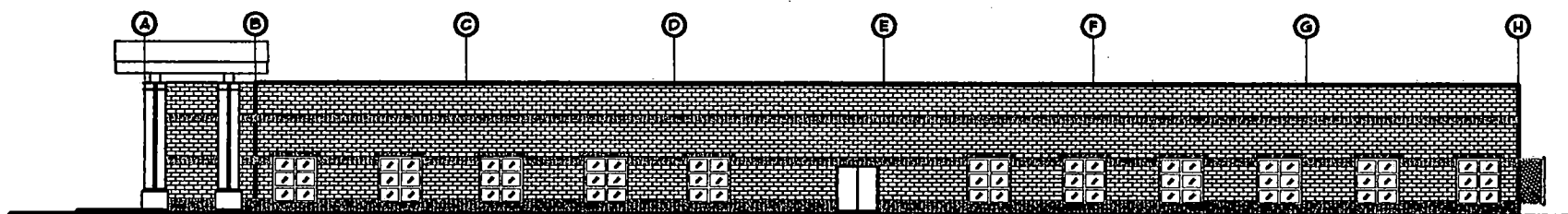


① FRONT ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"

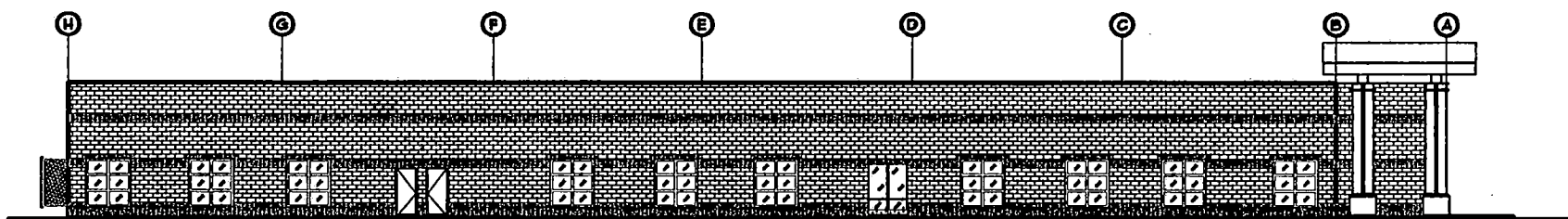


OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



④ RIGHT SIDE ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"

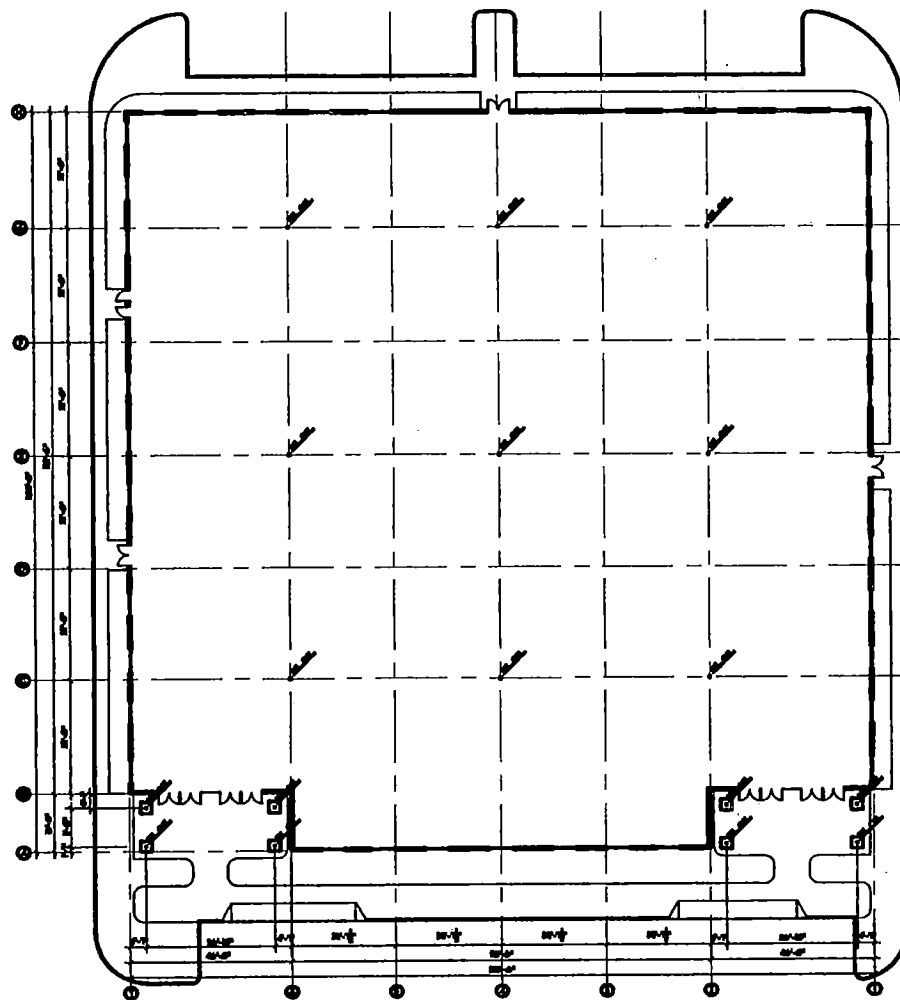


⑤ LEFT SIDE ELEVATION: OFFICE BLDG.
SCALE: 1/8" = 1'-0"



OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC

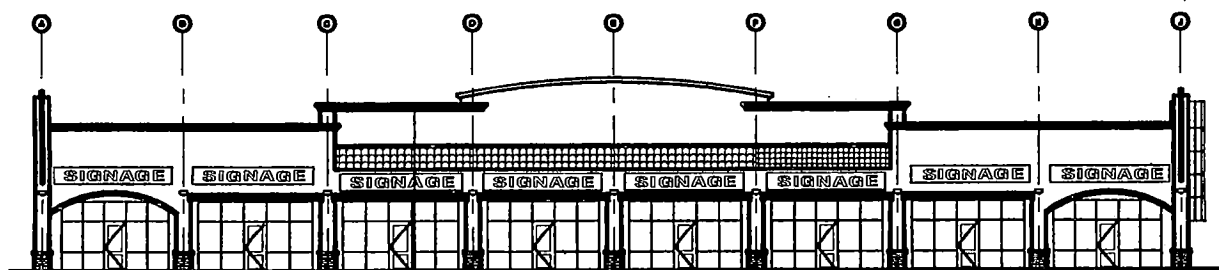


① FLOOR PLAN: OFFICE BUILDING
SCALE: 1/8" = 1'-0"

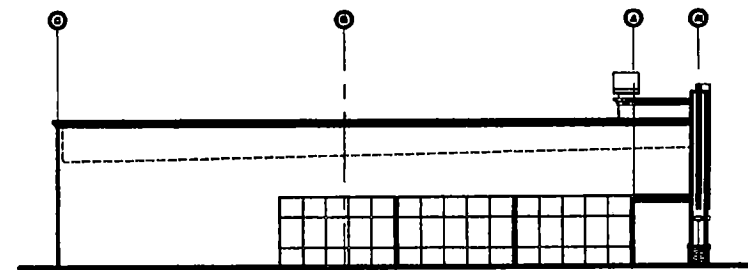
OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA



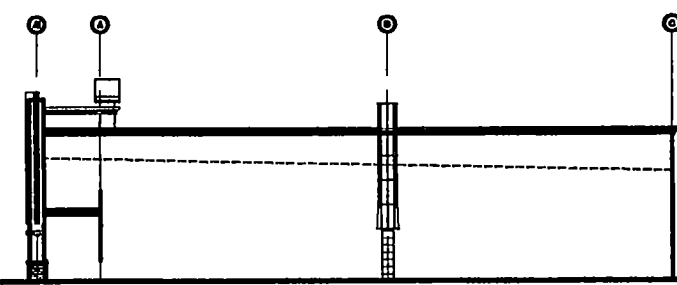
ZON-3987
SDR-3988
04-08-04 PC



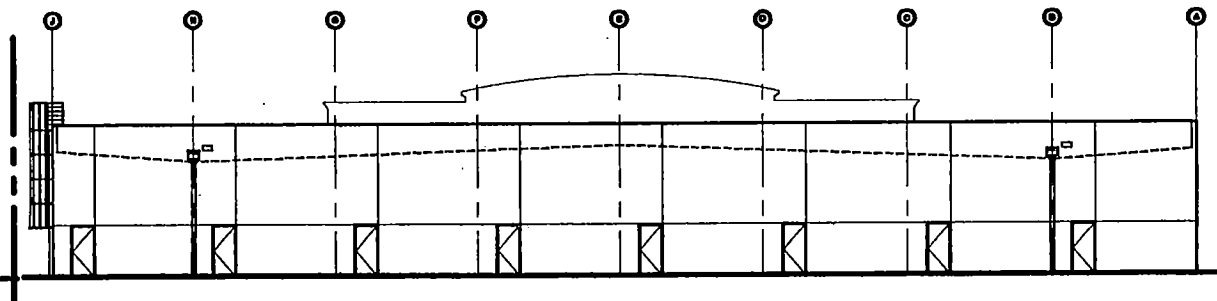
① **EAST ELEVATION: RETAIL BLDG.**
SCALE: 1/8" = 1'-0"



② **SOUTH ELEVATION: RETAIL BLDG.**
SCALE: 1/8" = 1'-0"



③ **NORTH ELEVATION: RETAIL BLDG.**
SCALE: 1/8" = 1'-0"

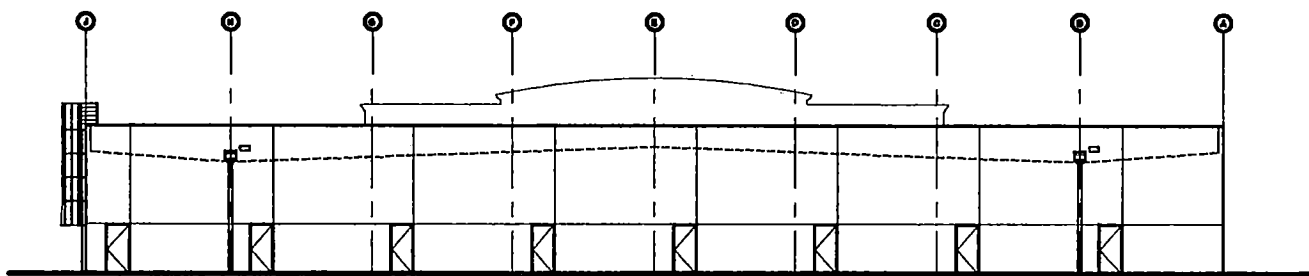


④ **WEST ELEVATION: RETAIL BLDG.**
SCALE: 1/8" = 1'-0"

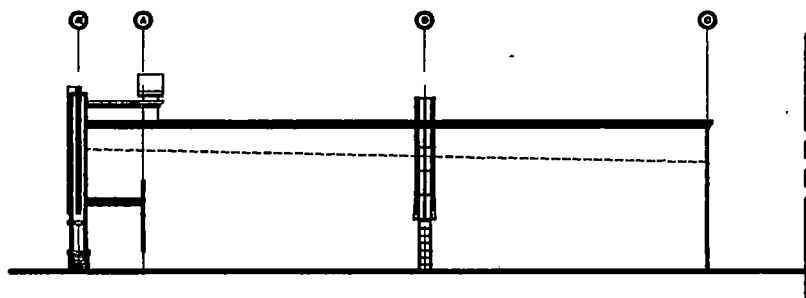


OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



4 REAR ELEVATION
SCALE: 1/8" = 1'-0"

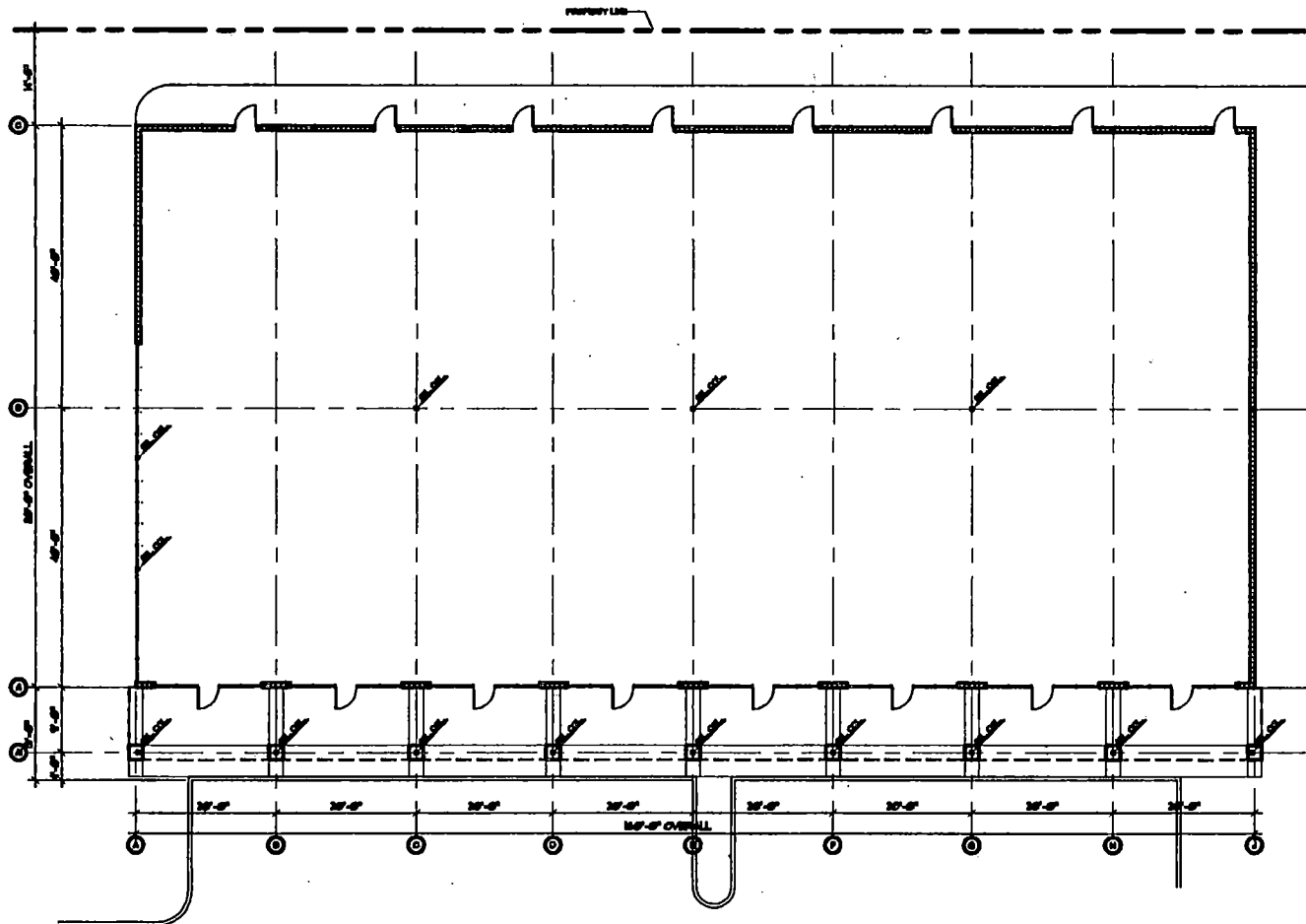


3 RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



① FLOOR PLAN: RETAIL BUILDING
SCALE: 1/8" = 1'-0"



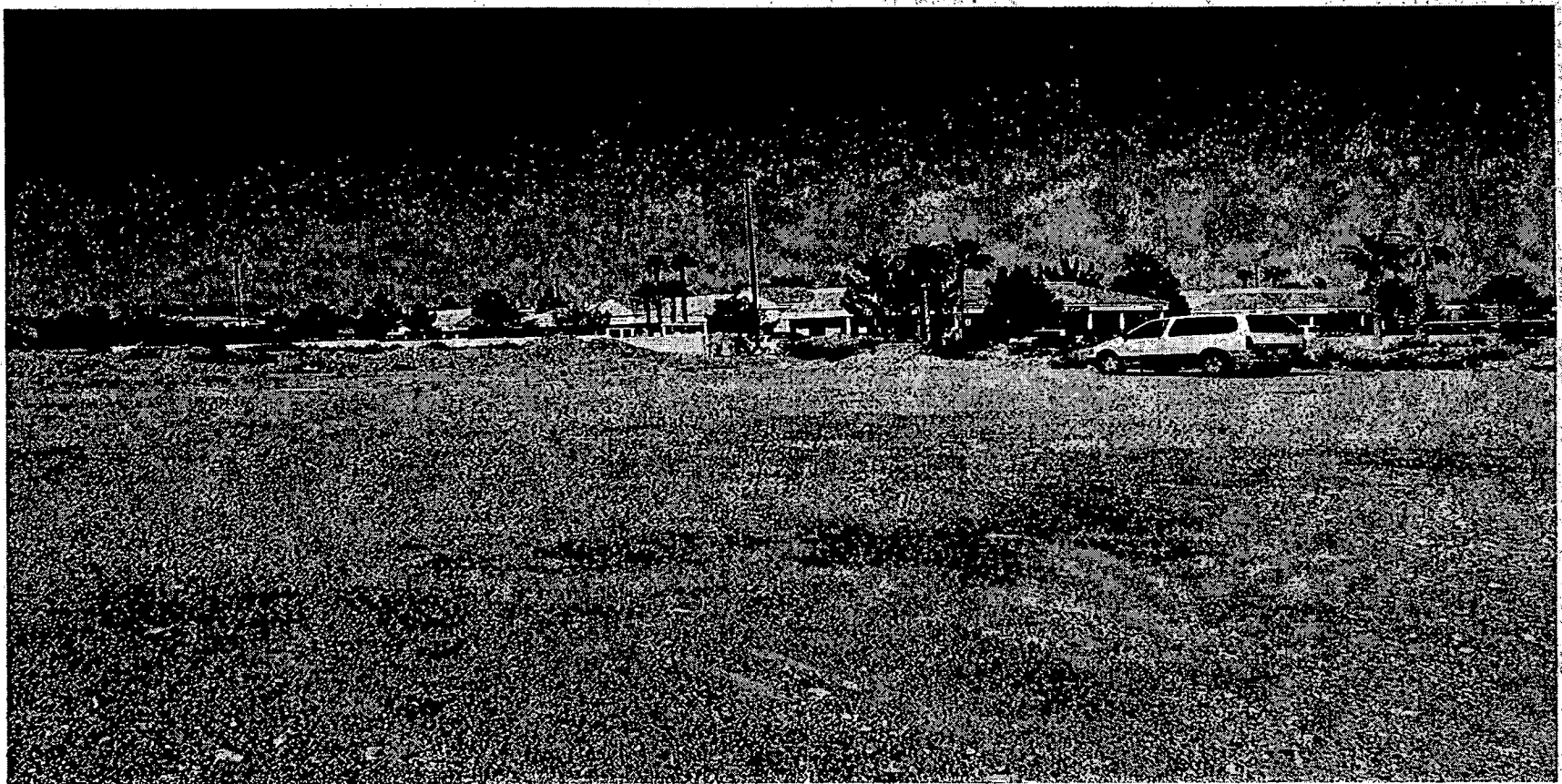
OFFICE/RETAIL DEVELOPMENT
LAS VEGAS, NEVADA

ZON-3987
SDR-3988
04-08-04 PC



SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-3988 - APPLICANT/OWNER: JOHN LEE AND ONG PARTNERS, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTH SIDE OF VIA OLIVERO AVENUE APPROXIMATELY 950 FEET EAST OF
BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT RELATED TO ZON-4003, SDR-4004 VAR-4005 - PUBLIC HEARING - GPA-4000 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

7

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – Motion for Approval subject to conditions did not carry with TRUESDELL, GOYNES, EVANS, DAVENPORT and STEINMAN voting No (Failure to pass is tantamount to a denial)

To be heard by the City Council on 5/5/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 34 [GPA-4000], Item 35 [VAR-4005], Item 36 [ZON-4003] and Item 37 [SDR-4004].

DAVID CLAPSADDLE, Planning and Development Department, explained that the General Plan Amendment allows up to 12 dwelling units per acre. The surrounding areas to the northeast

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 34 – GPA-4000

MINUTES – Continued:

and south is DR (Desert Rural) and the request is to allow a density of more than six times the density currently allowed on the project. The Code clearly states that the onus and the burden of proof to approve a General Plan Amendment is on the applicant. The applicant needs to show why that property cannot be developed as it is and why the proposed MLA is a reasonable use of property. Staff does not believe the applicant has met that burden with this General Plan Amendment. The same is true for the rezoning for the R-PD10. Regarding the Variance, five acres are needed for a residential plan development. The applicant has approximately 2.93 acres, which is a 41% deviation. The setbacks in the front are less than three feet, which makes the project even denser than what the R-PD10 would allow. Therefore, staff recommended denial on the Variance as well.

MR. CLAPSADDLE added the parcels would be mapped as individual lots, although they are attached single family. There are twenty-four attached single-family units and four detached units. Lots 3, 16, 20 and 26 will be the detached single-family homes. Residential adjacency standards do not apply even though they are attached units. These are single-family units, not multi-family units. MR. CLAPSADDLE emphasized that even though they are three-story buildings, they do not exceed 35 feet in height. There have been occasions where detached single-family homes and detached two-story dwellings were 35 feet in height. However, in this case, the height standard does not deviate from the Code.

MR. CLAPSADDLE expressed a concern with the driveways to the lots. On the Site Plan, the driveways are not shown as part of the lots and should be. The applicant has indicated that they will include the driveways as part of the lot. The applicant will re-orient the open space so there is more open space between this project and the abutting single-family project to the east of the site, which will ensure that the driveways are part of the lots. Based on the fact that the applicant has not met their burden for the General Plan Amendment and the Variance, the density is six times the density of the surrounding area, the R-PD10 is not an appropriate zoning, and the concerns with the Site Plan, the recommendation on all four applications is for denial.

SCOTT COLLINS, 11424 Rancho Portena, President, Lansing Communities, Inc. stated that the project was difficult to design. Several meetings were held with the neighbors and they have tried to meet the demand for residential along that corridor. The open space has been moved to the east side of the property to give the larger setback and will not encroach the adjacent houses. MR. COLLINS indicated that the Site Plan has been re-engineered and would like to go forward with it. The design of the property is situated approximately 10 feet higher than the property to

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 34 – GPA-4000

MINUTES – Continued:

the east. They have instructed their engineers and landscape designers to develop a plan, which will stagger with retaining walls and mature landscaping to give a green border and privacy to those neighbors. Regarding the land use, this property is an island with access only to Buffalo Drive, which is a 100-foot wide artery. A road that size, with multi-family or commercial, would be applicable.

MR. COLLINS indicated that the nature and intent of the R-PD zoning was to provide an opportunity to come up with something different than the normal standard developments. He felt they have presented a new and exciting project that has not been done in the Las Vegas market, and have received favorable responses from buyers around the area. The site plan and the design of the project are within the R-PD guidelines. Even though the property is less than five acres, it is an infill piece. The goal is to keep the area residential, as the residents have requested.

TOM McGOWAN, Las Vegas resident, commended the applicant on an attractive presentation with creative and innovative ideas. However, the issue is the high density. He asked what is the compelling need for the excessive density.

TODD FARLOW, 240 N. 19th Street, disagreed with the applicant's view that this is an infill project. He concurred with staff recommendation and felt the project is too close to residential.

JOHN GALLEGOS, 1625 Marbella Ridge Court, Vice President of his homeowners association, stated that a meeting was held on March 31st and 13 homeowners were present. The general consensus was that the project is too dense for the land and too close to their properties. The three-story buildings will take away their privacy because they are 10 feet lower. Many of the residents have pools in their backyards and do not want to worry about prying eyes. He thanked MR. COLLINS for working with the residents, and they are pleased that the applicant will provide a landscape buffer tiered from the neighbors' side. However, he feels the project is still too close to their homes. MR. GALLEGOS asked that the structures be changed to a two-story with less density.

MARILYN STOWE, 1609 Marbella Ridge Court, thanked staff for their recommendation of denial. The property is within two acres of the newly proposed and upcoming Social Security building. Although she opposes the project, she stressed that the residents on Marbella Ridge Court are anxious to see this property developed with something everyone can live with. This corridor has changed over the years, and they do not want this land vacant for years to come.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 34 – GPA-4000

MINUTES – Continued:

CLETA THOMPSON strongly opposed the R-E (Residential Estates) to R-PD10. Her home is over 4,500 square feet and was built on a half-acre lot south of this project and is surrounded by other large homes on half-acre lots. COMMISSIONER EVANS verified with MS. THOMPSON that her property is located immediately adjacent to the proposed project.

MR. COLLINS reiterated that this is a difficult piece of property. The applicant has worked very closely with the residents to come up with a design that the majority of the neighborhood would approve. In addition, he felt that the issues regarding the density, clustering, and the amount of open space have been addressed and these requirements have been met. The height of the building is 35 feet, regardless if it is a two-story or three-story residence. The majority of houses within the adjoining neighborhood are at 35 feet as well. The average home is approximately 2,950 square feet. They are trying to create a community that fits in and compliments the surrounding area. With the high traffic on Buffalo Drive, this project will create a buffer into their neighborhood.

COMMISSIONER McSWAIN commended MR. COLLINS for taking the spirit of the R-PD and running with it. It is unfortunate that there are not more in the outer areas that are less controversial. She pointed out that Planning Commission unanimously approved a similar application for a beautiful office building located just north of this site. She supported that application mainly due to the width of Buffalo Drive, the transition of the area and the regional park directly across the street. The residents wanted residential and did not accept a very beautiful commercial property that would have acted as a buffer to this neighborhood. She would be remiss if she would not support a residential project that has gone a long way in accommodating the transitioning of this area, when she was willing to support an office project adjacent to this project.

COMMISSIONER STEINMAN stated that this is invasive planning because of the number of units per acre. The building would have to be pushed five feet away from the houses in the rear. They would look like those located off Alta around the back exit of the Sun Coast Casino. He does not believe that this project is conducive with the type of residential behind this project. A modification on a per acre basis would permit the applicant to take the homes further away from the lot line. Therefore, he would not support this project at this particular density. MR. COLLINS disputed that the setbacks, after the open space is moved to the back of the property, gives quite a bit of separation. It is within five feet from the existing residential properties to the property in question. COMMISSIONER STEINMAN remarked that that is not relevant because if this were two to the acre, a 35-foot house would be positioned at a point on that lot and would not be invasive. But by taking it to 10, it has created an invasive situation. MR. COLLINS rebutted that this land is not conducive with the access to Buffalo Drive.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 34 – GPA-4000

MINUTES – Continued:

COMMISSIONER DAVENPORT asked MR. COLLINS what the distance was between the residents' back property lines and the footings of the proposed building. MR. COLLINS responded that it is approximately 20 feet from the back of the building to the property line.

COMMISSIONER NIGRO commended MR. COLLINS on a very unique and high end project. He concurred with COMMISSIONER McSWAIN'S comments. The same privacy issues will exist on this site if a two-story lower density house, 20 feet from the rear property line were built on this property. It is not a density issue, but a quality of development issue because the same issues could exist regardless of whether it is six to the acre or eight to the acre. There are different opinions as to whether properties should be commercial or professional in these types of locations. If not commercial, then a high quality unique residential development can enhance the area, similar to what exists in a master planned community such as Summerlin or Green Valley. There are apartments next to a third acre or half-acre lots and single family next to shopping centers. It can be done if planned well. This project has been planned well being wedged in between some larger lots with a 100-foot wide right-of-way like Buffalo Drive.

Even though the applicant presented a unique plan, CHAIRMAN TRUESDELL did not support the project entirely. He referred to a similar development on Rancho Drive, except it was a two-story single family that encompassed about a four-acre tract. The residents were adamantly opposed to the project and the density issue of two units, the project did not happen and now it is a problematic corner. His concern with the proposed project is the setback from the Desert Rural to the east side. It is not strictly a density issue, but there are too many units at a three-story height that push this project against the property lines. He suggested moving some of the open space, installing a streetscape along Buffalo Drive, and come with a tier that gives the privacy for residents on the east side, and at the same provide a project that makes some sense along that corridor. He wished that those parcels were presented all at once so that the residents would not have had to attend several meetings on the same issue. MR. COLLINS remarked that they have worked closely with staff in trying to cluster the open space. However, if the open space is divided too much, the City will not consider it as open space. Secondly, by clustering there will be too many drives and streets with no open space. The density has been reduced from the original plan.

Referring to COMMISSIONER STEINMAN'S comments about the project across from the Suncoast, MR. COLLINS pointed out that that is a different design with three stories straight up. However, the proposed project is staggered with decks.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 34 – GPA-4000

MINUTES – Continued:

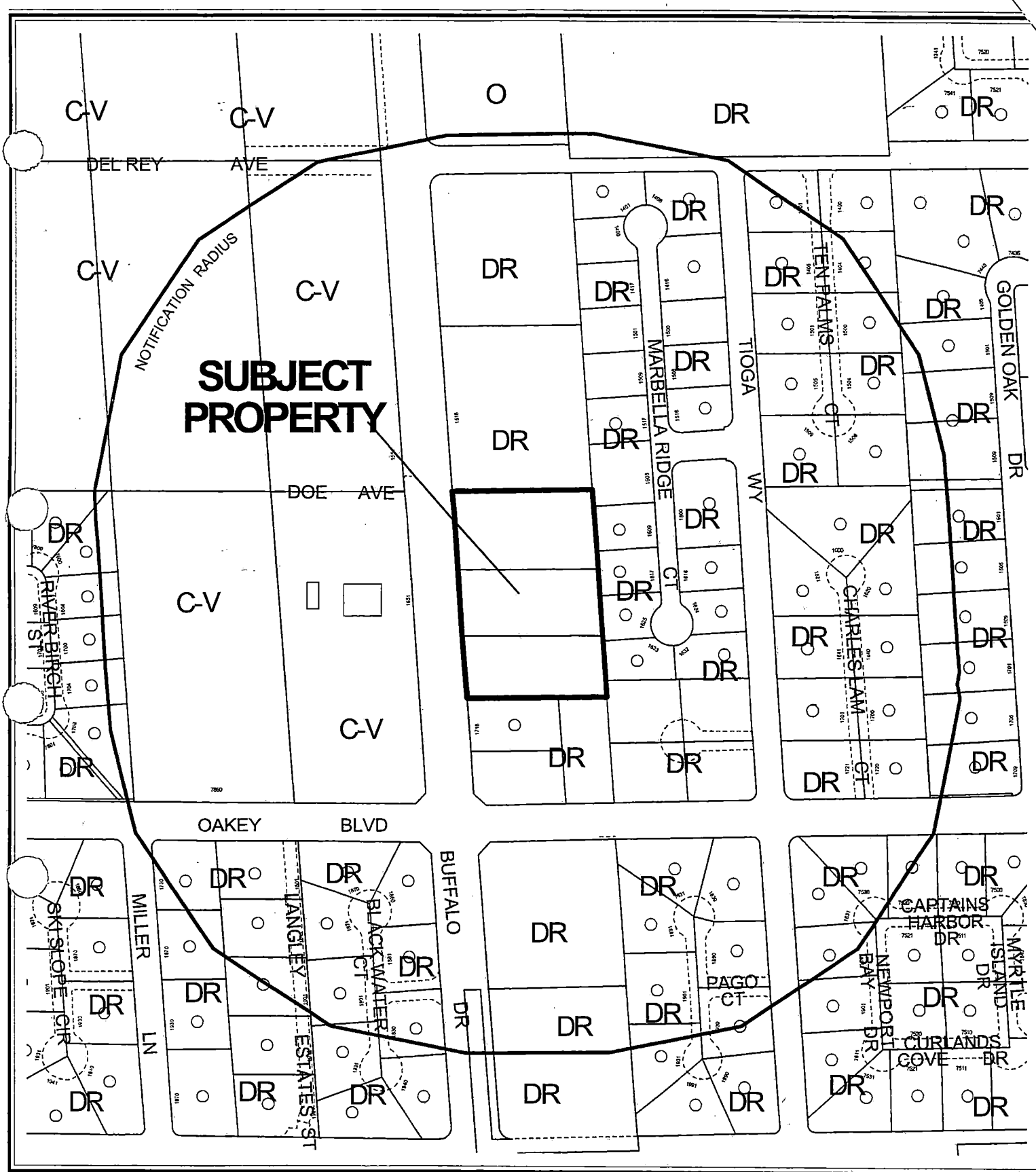
CHAIRMAN TRUESDELL verified with MR. CLAPSADDLE that the maximum density for medium low is eight units per acre. The applicant is asking for medium low attached, which allows up to 12 units per acre. He further clarified that if the application would be approved at medium low attached there would potentially be 36 units on the site.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 34 [GPA-4000], Item 35 [VAR-4005], Item 36 [ZON-4003] and Item 37 [SDR-4004].

NOTE: All discussion for Item 34 [GPA-4000], Item 35 [VAR-4005], Item 36 [ZON-4003] and Item 37 [SDR-4004] were held under Item 34 [GPA-4000].

(8:07 – 8:41)

2-1396



CASE: GPA-4000

RADIUS: 750 FT

GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

DR (DESERT RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-4000 - APPLICANT/OWNER: VALENCIA COMMUNITIES,
INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL

DDS

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to amend the Southwest Sector Plan of the General Plan land use designation of a 2.92-acre tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential). A rezoning application, ZON-4003, a variance, VAR-4005, and a site development plan, SDR-4004, have been submitted in conjunction with this application.

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject property was designated for Rural Density Residential land uses with a maximum density of three dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.
- 08/18/99 The City Council approved GPA-14-99 to amend portions of the Southwest Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 09/06/00 The City Council approved the *City of Las Vegas Master Plan 2020*. This site is not designated within any specific geographic strategy area as described in the Plan.

DETAILS OF APPLICATION REQUEST

Site Area: 2.92 acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Undeveloped
South	Single family residence and undeveloped
East	Single family residential; small park at the northeast corner
West	Across Buffalo Drive, park

GPA-4000 - Staff Report Page Two
April 8, 2004 Planning Commission Meeting

PLANNED LAND USE

Subject Property DR (Desert Rural)
North DR (Desert Rural)
South DR (Desert Rural)
East DR (Desert Rural)
West Across Buffalo Drive, PR (Park / Recreation / Open Space)

EXISTING ZONING

Subject Property R-E (Residence Estates)
North R-E (Residence Estates)
South R-E (Residence Estates)
East R-PD2 (Residential Planned Development at two Dwelling Units / acre)
West Across Buffalo Drive, C-V (Civic District)

	YES	NO
INTERLOCAL AGREEMENT JOINT LAND USE PLANNING AREA		X
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

DEFINITIONS

DR (Desert Rural Density Residential)

(0 to 2.0 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

MLA (Medium Low Attached Density Residential)

(8.1 to 12 dwelling units/gross acre.) The Medium Low Attached Density Residential category permits a maximum of 12 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. It is also an appropriate transitional use.

PR (Parks/Recreation/Open Spaces)

This category allows large public parks and recreation areas such as public and private golf courses, trails and easements, drainage-ways and detention basins, parking to serve such uses and any other public usage of large areas of permanent open land.

INTERAGENCY ISSUES

None

ANALYSIS

The subject request is to change the land use classification of a tract of land located at 1700 South Buffalo Drive from DR (Desert Rural Density Residential) to MLA (Medium Low Attached Density Residential). Property to the north, east and south is classified DR (Desert Rural Density Residential) which permits residential development at a density of up to two dwelling units per acre. Property across the street to the west is classified C-V (Civic) for a large existing park and sports fields.

The MLA classification would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR classification. The applicant states: "The residents of the Buffalo and Oakey area have recently suffered, what they consider to be, a potential zoning disaster with the approval of the Social Security building at the corner of Buffalo and Del Rey Avenue (south of Oakey Boulevard)." For this reason, the "Neighborhood Alliance" has showed support for a proposed upscale condominium development on the subject tract. Purportedly, the project would consist of three story buildings.

The General Plan designates the subject area and the larger area around it for single-family residences at no more than two dwelling units per acre. Unless there are extenuating circumstances for altering the Plan, the proposed land use classification should be compulsory upon all present and future landowners. The onus is on the property owner to demonstrate why property cannot be developed in the manner in which it's classified.

The applicant has presented no justification for altering the plan, except to indicate that the proposed project would be better than the project recently approved on the northeast corner of Buffalo and Del Rey. Such a project, however, is not being proposed. Staff is at a loss to see how a three-story project at up to 12 dwelling units per acre would benefit an area that is developing at two dwelling units per acre. The staff, therefore, recommends that the General Plan be upheld.

FINDINGS

Title 19.18.030.I requires that the following conditions be met 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;
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

Condition number "1" is not satisfied, as the subject request would permit residential development at six times the density permitted in every direction from the site.

Likewise, condition number "2" is not satisfied, because residential zoning districts permitting up to 12 dwelling units per acre would be allowed in a MLA classification. This increase in density raises an incompatibility issue.

In regard to the third condition, public facilities and infrastructure presently exist to support commercial development. Access would be directly to Buffalo Drive. The property is within 1½ miles of a fire station at Charleston Boulevard and Durango Drive and within one mile of a police station at Charleston Boulevard and Rainbow Boulevard.

In regard to the fourth condition, objectives and policies are addressed in the *City of Las Vegas Master Plan 2020*. There are no plans or policies that specifically address this area of the Southwest Sector.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

03/08/04 There were 20 residents in attendance. There comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single story or two story custom homes.
- Some residents indicated they would support one story offices instead of residential.
- Residents would like the BC agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

NOTICES MAILED: 90 (Mailed with VAR-4005, ZON-4003 and SDR-4004)

APPROVALS: 0

PROTESTS: 3

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-4000 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, Inc., Scott Collins

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

_____ X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

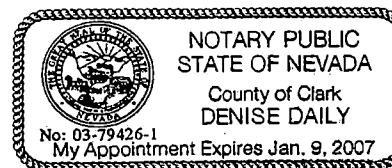
Signature of Property Owner/Authorized Agent: [Signature]

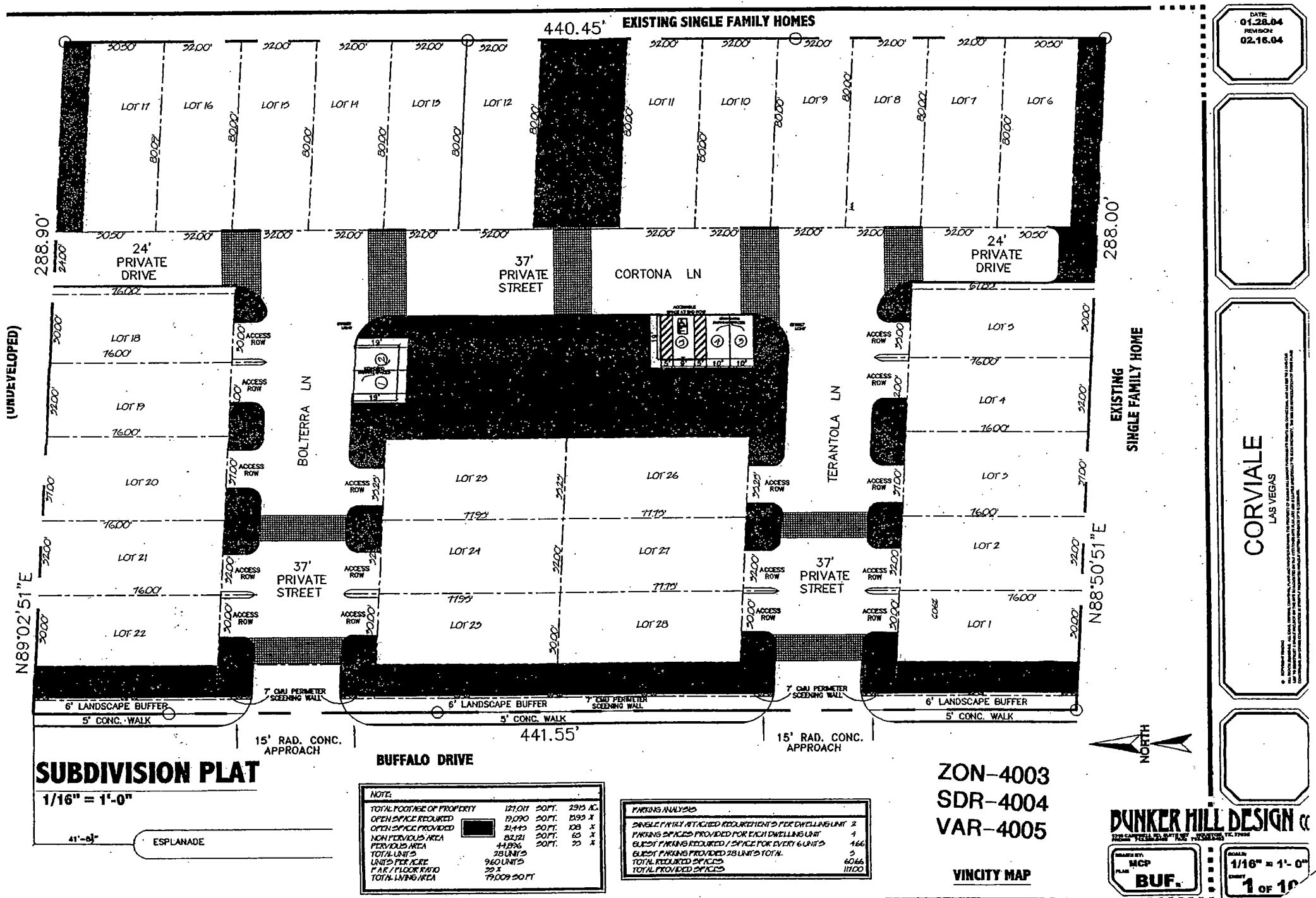
Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2004

[Signature]
Notary Public in and for said County and State







GPA-4000 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



GPA-4000 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

Las Vegas, Nv.
March 31, 2004

Gary M. Leobold, Senior Planner:
Planning & Development Dept.
City Council Chambers
400 Stewart Ave.
Las Vegas, Nv. 89101-2986

Dear Sir:

We are writing of our disapproval of G.P.A. - 4000, to amend a portion of the southwest sector plan from Desert Rural Density residential to medium-low attached density residential on 2.92 acres located at 1700 Buffalo Dr. (APN 163-03-201-003 thru 005, Ward 1 (Moncrief)).

We would like you to do one thing, come and look at the homes just over the fence to the east and south of this project and see if you would approve this, couldn't sell our homes if we wanted to.

Our home is 4600 Sq. Ft. on 1/2 acre. We own the lot to the south of our home. That would be 2 homes per acre. They are wanting to put 10 units per acre.

We do not know of any three story residents in this area. We went to see the planned development at the Marriott.

Howard Thompson

Howard Thompson

Cleta Thompson

Cleta Thompson

1710 South Buffalo Dr.
Las Vegas, Nv. 89117-1301

Telephone No.
702-304-9160

GPA-4000 P

Austen L. Dunn
1408 Marbella Ridge Ct.
Las Vegas NV 89117
(702) 395-6634
3/22/04

Planning of Development Dept.
Development Svcs. Ctr.
731 S. Fourth St.
Las Vegas, NV 89101

Please consider what I have to say. My name is Austen Dunn and I am a resident of Aurora View Estates. I am a member of Troop 700 from the Boy Scouts of America and I am earning my Citizenship of the Community merit badge. This letter is in regards to a general plan amendment for Valencia communities proposed Residential Development located at 1700 S. Buffalo. This is a condo-townhouse development that will intensify congestion of the Buffalo corridor. The developer is trying to erect a three story structure with extremely dense housing. All entrance ways to the selected property will be off of Buffalo. Please take into consideration the negative impact this would inflict on the traffic situation and the surrounding neighborhood. At the least, perhaps you could recommend that the structure be limited to two stories and have deep setbacks from the neighborhood behind it. I appreciate your time and judgement.

Sincerely,
Austen L. Dunn
Austen L. Dunn

RECEIVED
04 MAR 30 PM 4:43
DEVELOPMENT

GPA-4000
P

April 1, 2004

Mr. Gary Leobold
Planning and Development Department
Current Planning Division
731 South Fourth St
Las Vegas, Nevada 89101

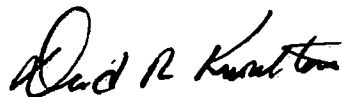
Dear Mr. Leobold,

RE:SDR-4004,ZON-4003,GPA 4000,
VAR-4005

Valencia Communities, Inc has filed the above referenced requests for changes that would permanently alter the character of our neighborhood. I am not optimistic that the Planning Commission considers neighbor's opinions as the new Social Security Building was recently foisted on our neighborhood over strong objections of the residents. However, I am opposed to the further degradation of our residential community by placing high density town homes adjacent to our neighborhood.

The sheer number of the proposed attached 3 story homes with limited parking will destroy our views to the west and will in no way blend with the existing homes. This is not an Eastern city where townhomes are common as lower cost alternatives to free standing homes. For good reason there are existing regulations requiring a minimum of five acres for residential planned developments of this size. To cram this many structures on this small parcel of land is absurd, and will only impact the value of homes in the existing neighborhood.

I request that this written objection be made a matter of record.



David R. Knowlton
1616 Marbella Ridge Ct
Las Vegas, Nevada 89117

CC City Councilwoman Janet Moncreif

GPA-4000
ZON-4003
VAR-4005
SDR-4004 p

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**VARIANCE RELATED TO GPA-4000, ZON-4003 AND SDR-4004 - PUBLIC HEARING
- VAR-4005 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for
a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING
DISTRICT ON 2.92 ACRES WHERE A MINIMUM OF FIVE ACRES IS REQUIRED located
at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone,
Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief).**

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

5

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – DENIED – Motion carried with McSWAIN and NIGRO voting No

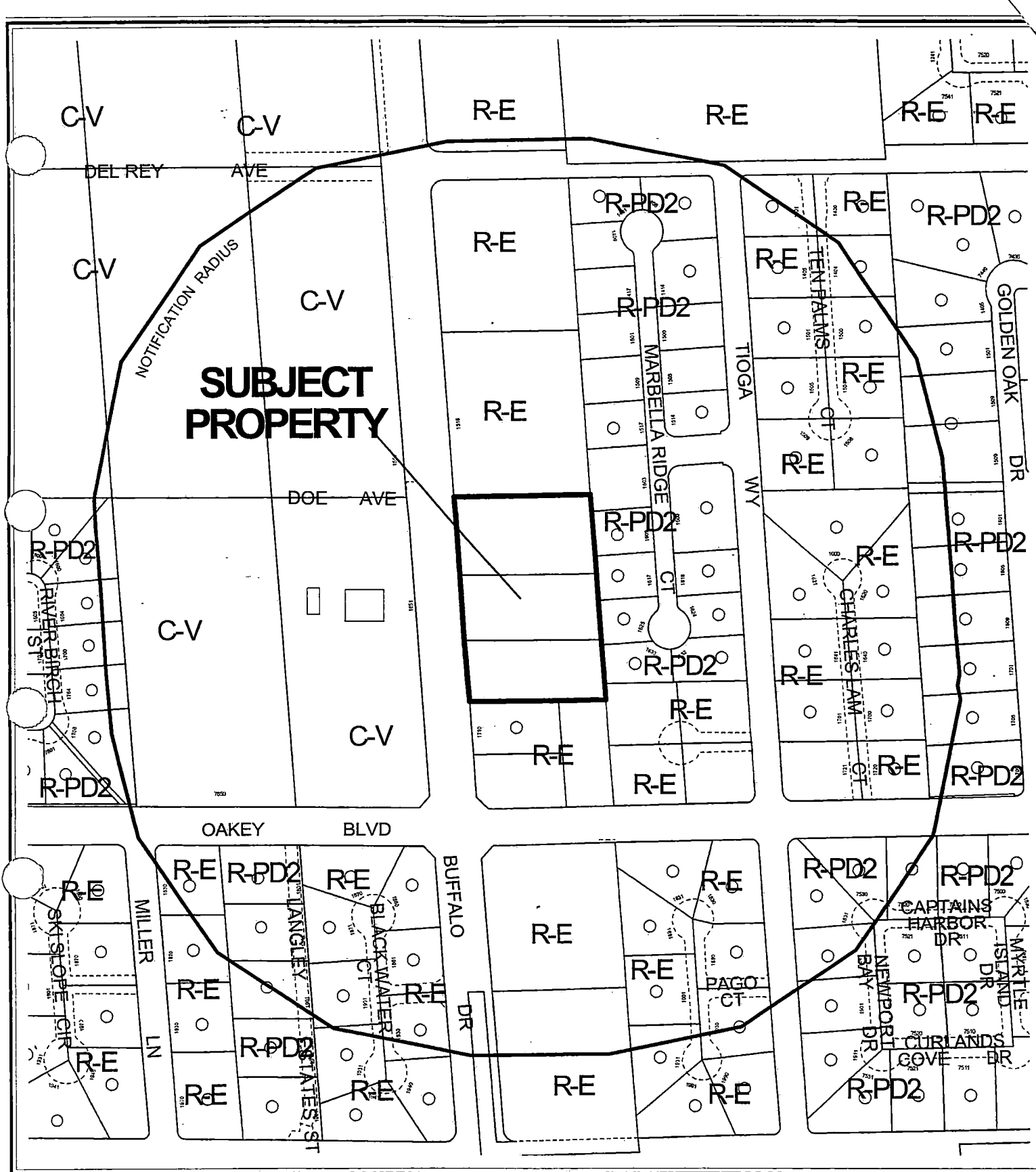
To be heard by the City Council on 5/5/2004

MINUTES:

NOTE: See Item 34 [GPA-4000] for all related discussion.

(8:07 – 8:41)

2-1396



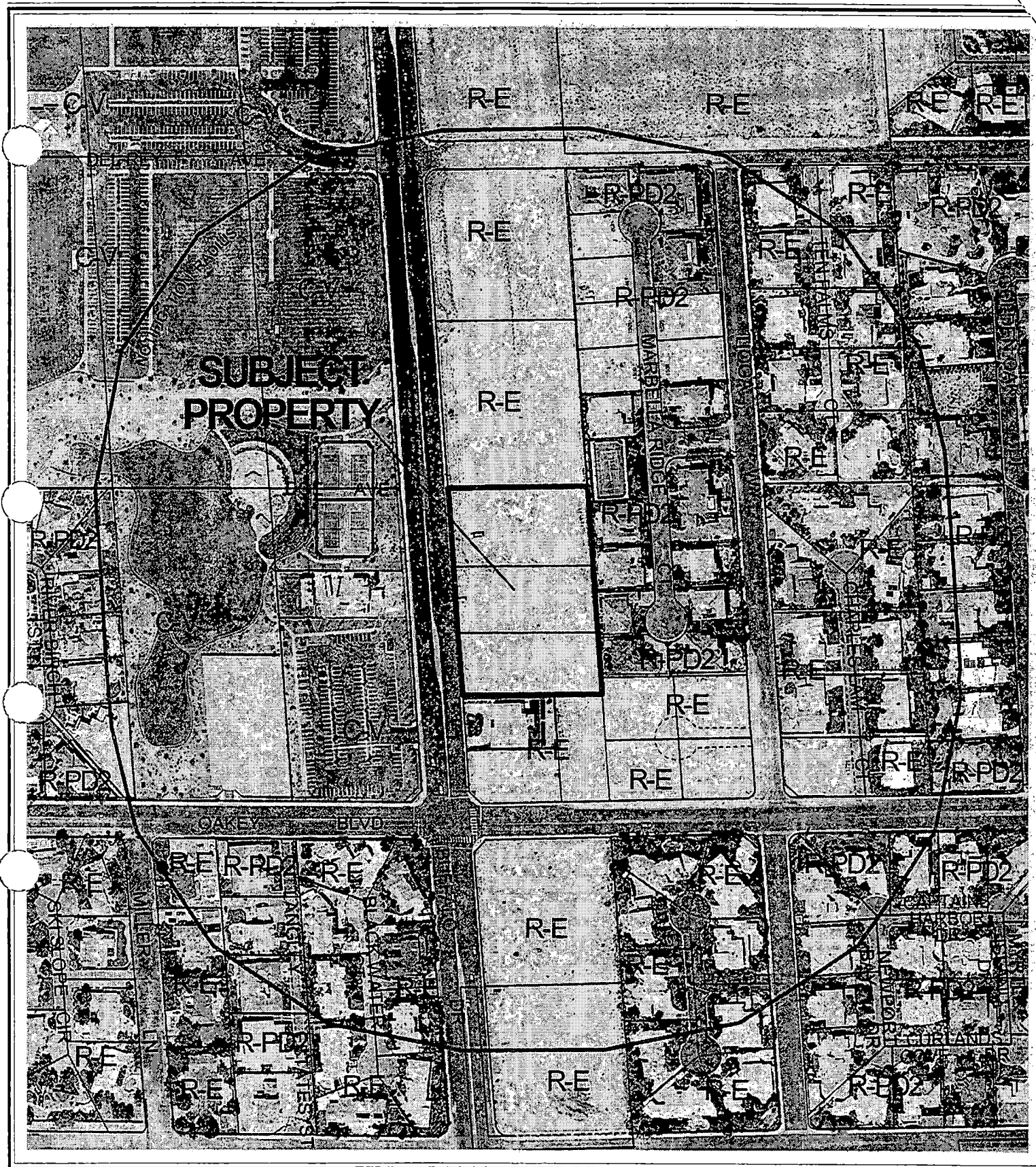
CASE: VAR-4005

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)



CASE: VAR-4005

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VARIANCE RELATED TO GPA-4000, ZON-4003 AND SDR-4004 - PUBLIC HEARING - VAR-4005 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4003) and Site Development Plan Review [SDR-4004].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, on a 2.92-acre parcel located at 1700 South Buffalo Drive. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
- 11/23/98 The City Council approved a request (GPA-0027-98) to amend the Southwest Sector Map of the General Plan on properties bounded by the Holmby Channel, Via Olivero Avenue, Rainbow Boulevard and Durango Drive, from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/22/98.

VAR-4005 - Staff Report Page Two
April 8, 2004 Planning Commission Meeting

08/15/01 The City Council denied a request (GPA-0017-01) to amend the Southwest Sector Map of the General Plan from DR (Desert Rural Density Residential) to O (Office) on 5.4 Acres on the east side of Buffalo Drive, approximately 1,450 feet south of Charleston Boulevard. The Planning Commission had recommended approval on 07/12/01. Staff had recommended denial.

04/08/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning (ZON-4003) from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre), and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.

B) Pre-Application Meeting

02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined the revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

03/08/04 There were 20 residents in attendance at the required neighborhood meeting for the General Plan Amendment. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single family residence and undeveloped
East: Single family residential; small park at the northeast corner
West: Park

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-PD2 (Residential Planned Development - 2 Units per Acre)
West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. The proposed R-PD10 zoning district would conform to the MLA land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

Pursuant to Title 19.06.040.A, the minimum site area that is eligible for rezoning to the R-PD category is five acres. As the subject site is 2.92 acres in size, the applicant has requested a Variance from this standard in order to allow the related applications to proceed, in order to develop a 28-unit attached single-family project on the site. The subject deviation is 41.7%.

B) General Analysis and Discussion

The project as conceived would not readily fit within the parameters of any of the standard residential zoning districts in Title 19. Although the R-2 (Medium Low Density Residential) zoning district allows up to 12 units per acre, and would conform to the MLA land use designation proposed for the site, the R-2 district contains a minimum lot size requirement of 6,500 square feet, front and rear setbacks and a two-story building height limit that would not work with the project as proposed.

There are no other standard districts which would be adequate for a project of this type; however, the project has been tightly clustered on the site, utilizing minimal building setbacks and identifying what would traditionally be front yard space to meet R-PD open space requirements. All this is indicative of an overbuilding situation, wherein the developer is attempting to simply put too many units on a given parcel of land, without providing justification that the hardship is not solely personal, self-created or financial in nature.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

Additionally, Title 19.18.070L states:

"Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a type and style of residential development that can only be granted using Residential Planned Development zoning on a site that is too small too accommodate the amenities necessary for this type of zoning district. Alternative design or the addition of adjacent undeveloped parcels to the overall site plan would allow conformance to the Title 19 requirements.

In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NOTICES MAILED 90 (Mailed with GPA-4000, ZON-4003 and SDR-4004)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-4005 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

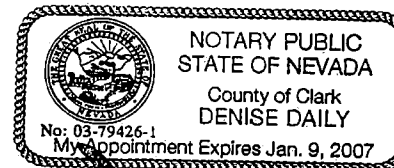
Signature of Property Owner/Authorized Agent: [Signature]

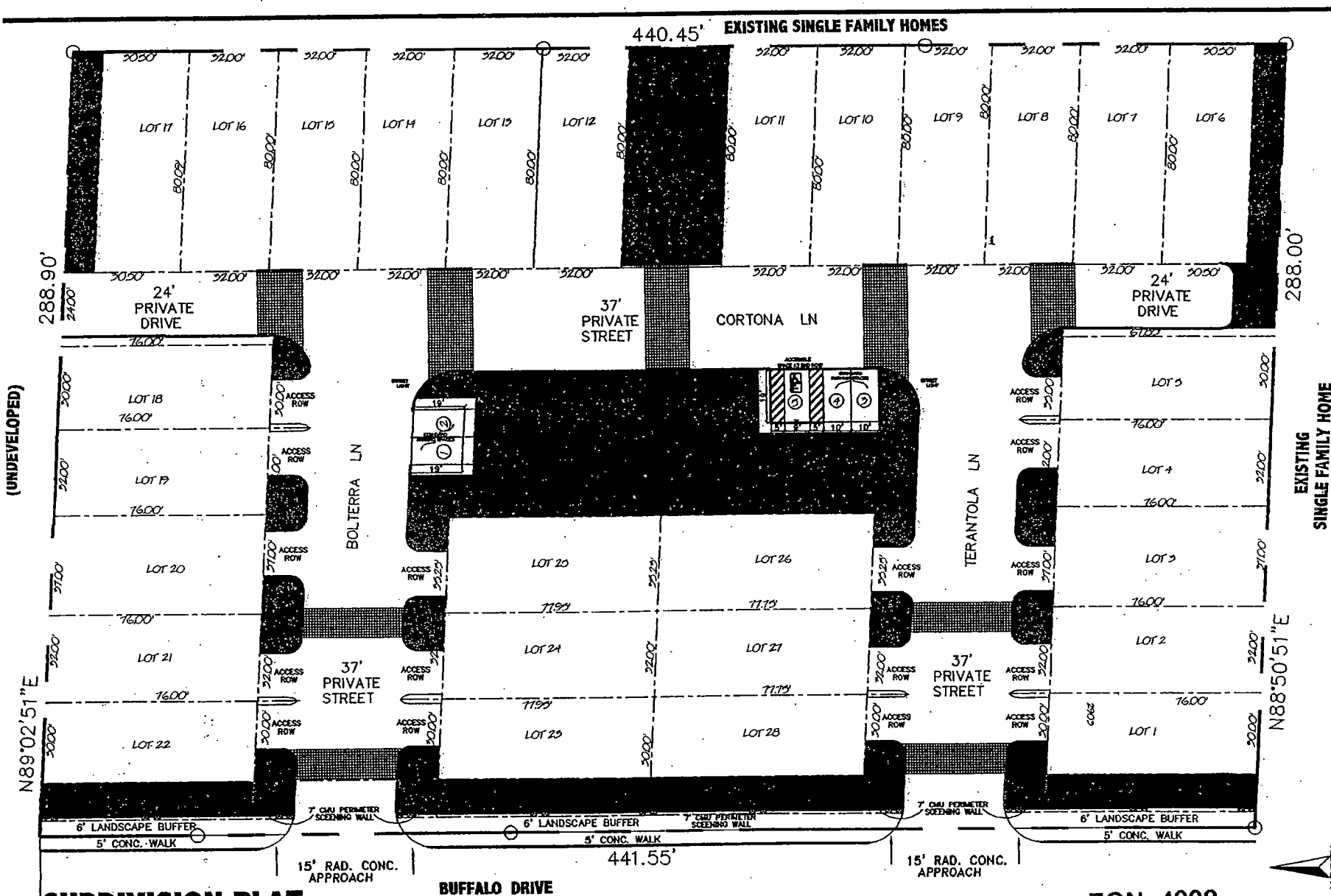
Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2004

[Signature]
Notary Public in and for said County and State





(UNDEVELOPED)

N89°02'51"E

N88°50'51"E

SUBDIVISION PLAT

1/16" = 1'-0"

41'-0"

ESPLANADE

NOTE:

TOTAL FOOTAGE OF PROPERTY	121,011	20 FT.	2,915 AC.
OPEN SPACE REQUIRED	19,090	20 FT.	1,590 X
OPEN SPACE PROVIDED	21,440	20 FT.	1,008 X
NON PERVIOUS AREA	83,221	20 FT.	63 X
PERVIOUS AREA	41,296	20 FT.	22 X
TOTAL UNITS	28 UNITS		
UNITS PER ACRE	9.60 UNITS		
F.A.R. / FLOOR RATIO	22 X		
TOTAL LIVING AREA	79,009	20 FT.	

PARKING ANALYSIS

SINGLE FAMILY ATTACHED REQUIREMENTS PER DWELLING UNIT	2
PARKING SPACES PROVIDED FOR EACH DWELLING UNIT	4
GUEST PARKING PROVIDED / SPACE FOR EVERY 6 UNITS	4.66
GUEST PARKING PROVIDED 28 UNITS TOTAL	2
TOTAL REQUIRED SPACES	40.66
TOTAL PROVIDED SPACES	11,100

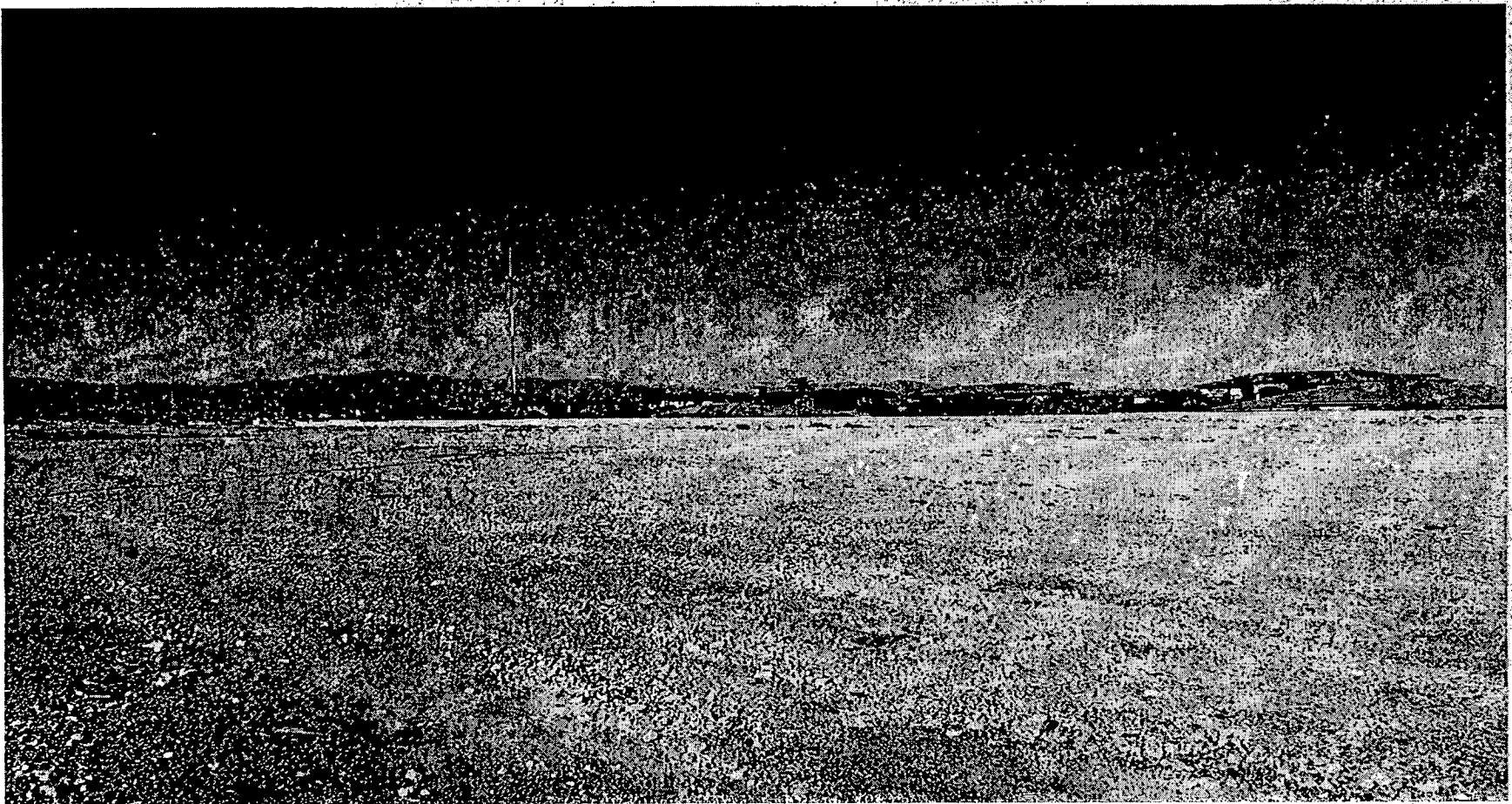
ZON-4003
SDR-4004
VAR-4005

VINCITY MAP

DUNKER HILL DESIGN
REGISTERED PROFESSIONAL ARCHITECT
12345 12345 12345 12345 12345
SCALE BY:
MCP
PLAN
BUF.
1/16" = 1'-0"
1 OF 1

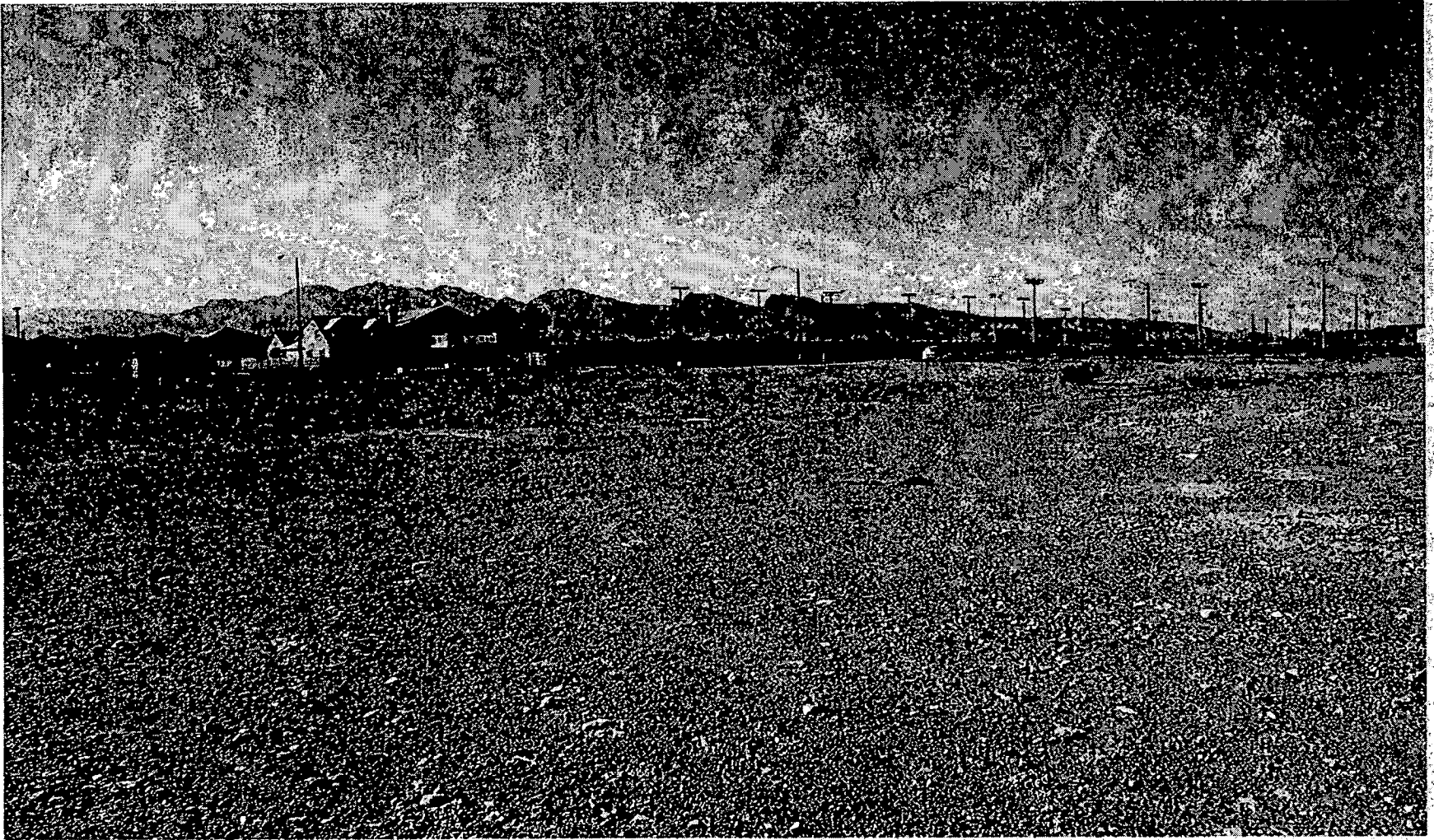
DATE
01.28.04
REVISION
02.18.04

CORVALE
LAS VEGAS



VAR-4005 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



VAR-4005 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

April 1, 2004

Mr. Gary Leobold
Planning and Development Department
Current Planning Division
731 South Fourth St
Las Vegas, Nevada 89101

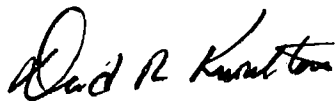
Dear Mr. Leobold,

RE:SDR-4004,ZON-4003,GPA 4000,
VAR-4005

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The sheer number of the proposed attached 3 story homes with limited parking will destroy our views to the west and will in no way blend with the existing homes. This is not an Eastern city where townhomes are common as lower cost alternatives to free standing homes. For good reason there are existing regulations requiring a minimum of five acres for residential planned developments of this size. To cram this many structures on this small parcel of land is absurd, and will only impact the value of homes in the existing neighborhood.

I request that this written objection be made a matter of record.



David R. Knowlton
1616 Marbella Ridge Ct
Las Vegas, Nevada 89117

CC City Councilwoman Janet Moncreif

GPA-4000
ZON-4003
VAR-4005
SDR-4004P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4000, SDR-4004 AND VAR-4005 - PUBLIC HEARING
- ZON-4003 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for
a Rezoning FROM: R-E (Residence Estates) TO: R-PD10 (Residential Planned Development -
10 Units per Acre) on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003
thru 005), Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – DENIED – Motion carried with McSWAIN and NIGRO voting No

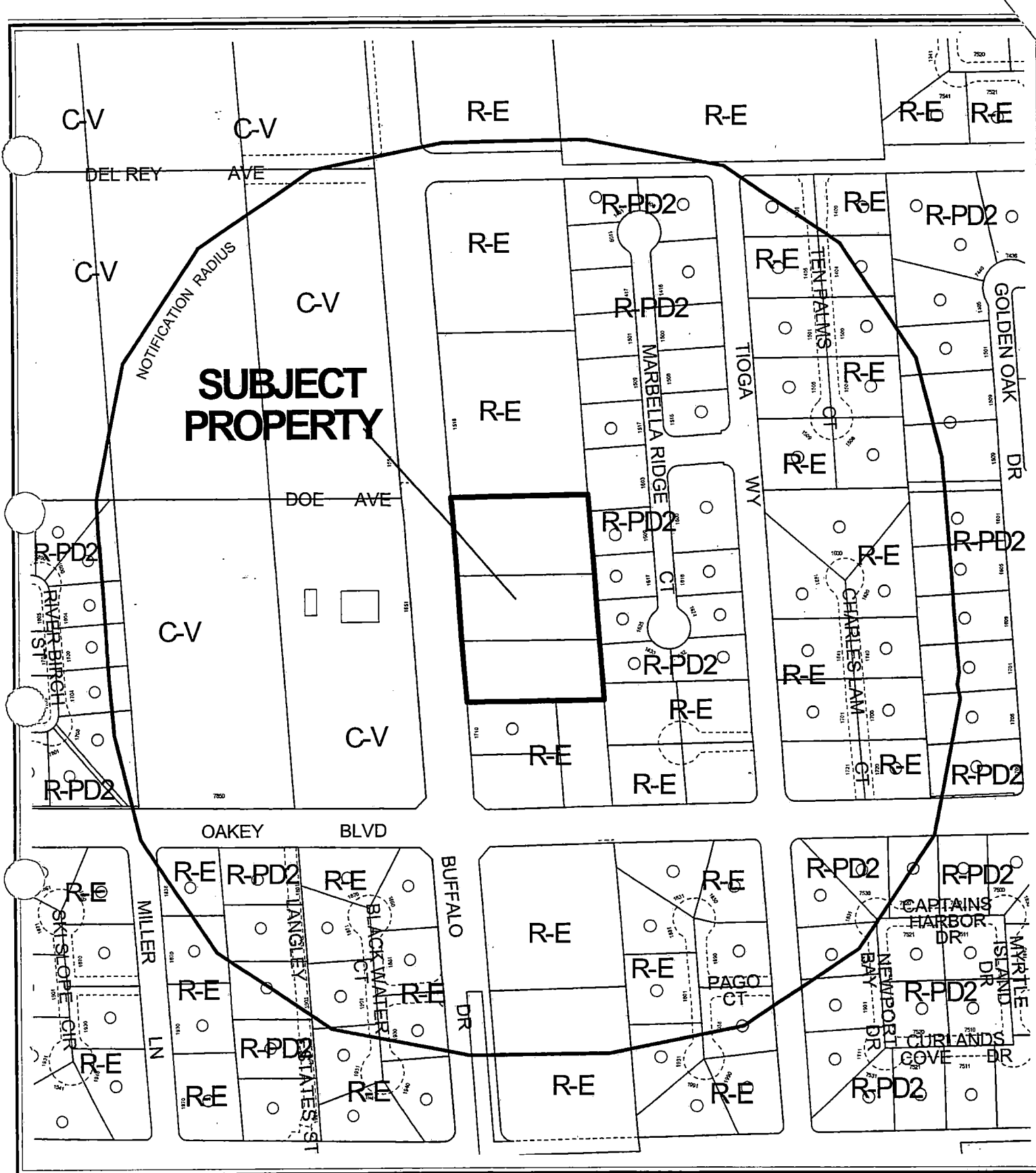
To be heard by the City Council on 5/5/2004

MINUTES:

NOTE: See Item 34 [GPA-4000] for all related discussion.

(8:07 – 8:41)

2-1396



CASE: **ZON-4003**

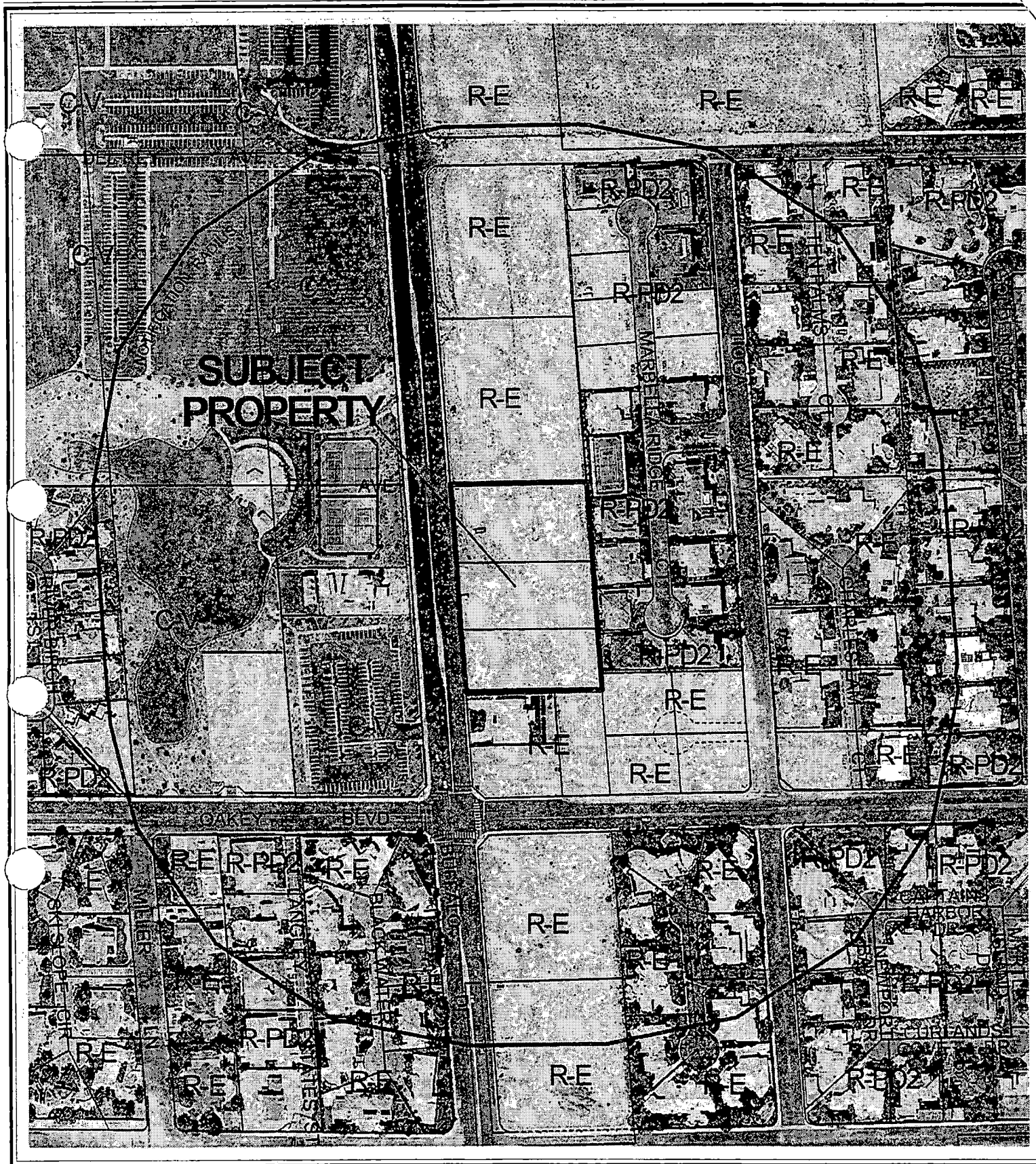
RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)





CASE: **ZON-4003**

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: REZONING RELATED TO GPA-4000, SDR-4004 AND VAR-4005 - PUBLIC HEARING - ZON-4003 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, Subject to:

Planning and Development

1. A General Plan Amendment (GPA-4000) to an MLA (Medium-Low Attached Density Residential) land use designation and a Variance (VAR-4005) to allow a reduced site area for R-PD zoning approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Provide public sewer service to all lots within the development area.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request to rezone a 2.92-acre parcel located at 1700 South Buffalo Drive from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre). Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) will be heard concurrently with this application.

B) Applicant's Justification

The applicant has justified this request by stating that R-PD zoning will allow the flexibility critical to generating a feasible design for this site. The applicant has indicated that the intent is to develop a project that is compatible with the character of the adjacent large-lot residential development to the east.

BACKGROUND INFORMATION

A) Previous Actions

- 03/19/86 The City Council approved a request to Annex (A-0009-85) approximately 1,509 acres of land, including the subject site. The effective date was 03/28/95.
- 03/20/96 The City Council denied a request for a Rezoning (Z-0091-95) on the northern portion of the subject site from R-E (Residence Estates) to P-R (Professional Office and Parking). The Planning Commission recommended approval on 11/30/95.
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04/08/04 The Planning Commission will consider companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and a Site Development Plan Review (SDR-4004) for a 28-lot attached single-family residential project on the subject site.

B) Pre-Application Meeting

02/11/04 At the pre-application meeting, the applicant was advised that the project would require at least six different applications to proceed as designed. The applicant redesigned the project, and came back for a follow-up meeting held on 02/18/04. At this meeting, it was determined that revised plan would result in the elimination of open space Variance and Title 18 Waiver requests that would have been required with the initial design. Site planning concerns including setbacks, access, parking and landscaping issues were then discussed at this second meeting.

C) Neighborhood Meetings

03/08/04 A neighborhood meeting is not required for a Rezoning application; however, the companion General Plan Amendment request requires such a meeting. There were 20 residents in attendance at the required General Plan Amendment neighborhood meeting. Their comments included the following:

- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.

- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.92

B) *Existing Land Use*

Subject Property: Undeveloped

North: Undeveloped

South: Single family residence and undeveloped

East: Single family residential; small park at the northeast corner

West: Park

C) *Planned Land Use*

Subject Property: DR (Desert Rural Density Residential)

North: DR (Desert Rural Density Residential)

South: DR (Desert Rural Density Residential)

East: DR (Desert Rural Density Residential)

West: P/R/OS (Parks/Recreation/Open Space)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)

North: R-E (Residence Estates)

South: R-E (Residence Estates)

East: R-PD2 (Residential Planned Development - 2 Units per Acre)

West: C-V (Civic)

E) *General Plan Compliance*

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. The proposed R-PD10 zoning district would conform to the MLA land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Min. Lot Size	2,280 SF
Min. Lot Width	30 Feet
Min. Setbacks	none 3 Feet (zero feet on attached side) 3 Feet 5 Feet (estimated)
• Front	
• Side	
• Corner	
• Rear	
Max. Lot Coverage	Not indicated
Max. Building Height	3 Stories / 35 Feet

The front yard setback will have to be revised to at least three feet, or the structures will have to meet Building Code standards for a one-hour fire rating. Any common walls between each pair of attached units will similarly have to meet the same rating standard. Also, rear yard setbacks will have to be provided on the site plan.

Also pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
2.92 acres	10.41 u.p.a.	1.65	17.2 %	21,812 SF	16.9%	21,445 SF

As currently configured, the site plan is slightly deficient in open space. The applicant has indicated that a revised site plan will be submitted that addresses the deficit. If not, a condition of approval for the companion site plan application (SDR-4004) will require that a Variance application be submitted and approved by the City Council prior to site plan approval.

B) General Analysis and Discussion

The minimum site area eligible to rezone to an R-PD zoning district is five acres. The subject area contains 2.92 gross acres. A companion Variance request (VAR-4005) will address this issue. The proposed rezoning to R-PD10 (Residential Planned Development - 10 Units per Acre) conforms to the proposed MLA (Medium-Low Attached Density Residential) land use category in the General Plan, which is the subject of another companion application (GPA-4000). The proposed development (SDR-4004) will result in the construction of 24 attached single-family and four single-family residential lots having a density of 10.4 units per gross acre, below the 12 u.p.a. maximum density allowed within MLA (Medium-Low Density Residential) designation. The development will feature 37-foot wide private streets with "L" curbs and open space areas with amenities that, in total, are slightly deficient with respect to the requirements of an R-PD district.

The proposed zoning is not compatible with the size and density of surrounding lots. Lots to the east and south of the proposed development meet the development standards for the R-PD2 (Residential Planned Development - 2 Units per Acre) or R-E (Residence Estates) zoning districts, with most lots approximately one-quarter acre or more in size. Lots in the proposed development will average approximately 2,300 square feet. The proposed development will detract from the low-density character of the area and deviates from the established development pattern of the surrounding properties.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The proposed Rezoning to R-PD10 (Residential Planned Development - 10 Units per Acre) conforms to the density range allowed by the proposed MLA (Medium-Low Attached Density Residential) General Plan Designation. Properties to the north, south, and east of the subject property share the current DR (Desert Rural Density Residential) General Plan designation of the subject site.

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 attached single-family residential uses proposed on the subject property are proposed at a significantly higher density than any of the surrounding properties and are therefore incompatible with the lower-density uses and zoning designations of these surrounding properties.

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

The density and size of the lots proposed for the property to be rezoned do not resemble the development pattern of surrounding properties. The applicant has provided no compelling evidence substantiating the need for this type of development within the area. The proposed rezoning is therefore inappropriate.

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."**

Access to the property is provided by Buffalo Drive, identified as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This road is adequate to meet the traffic demands of the proposed attached single-family residential development.

NOTICES MAILED 90 (Mailed with GPA-4000, VAR-4005 and SDR-4004)

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-4003 APN: _____

Name of Property Owner: Valencia Communities Inc

Name of Applicant: Scott Collins

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

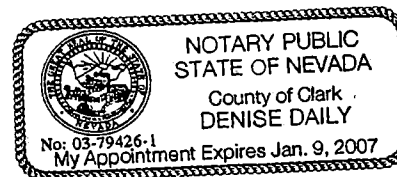
Signature of Property Owner/Authorized Agent: [Signature]

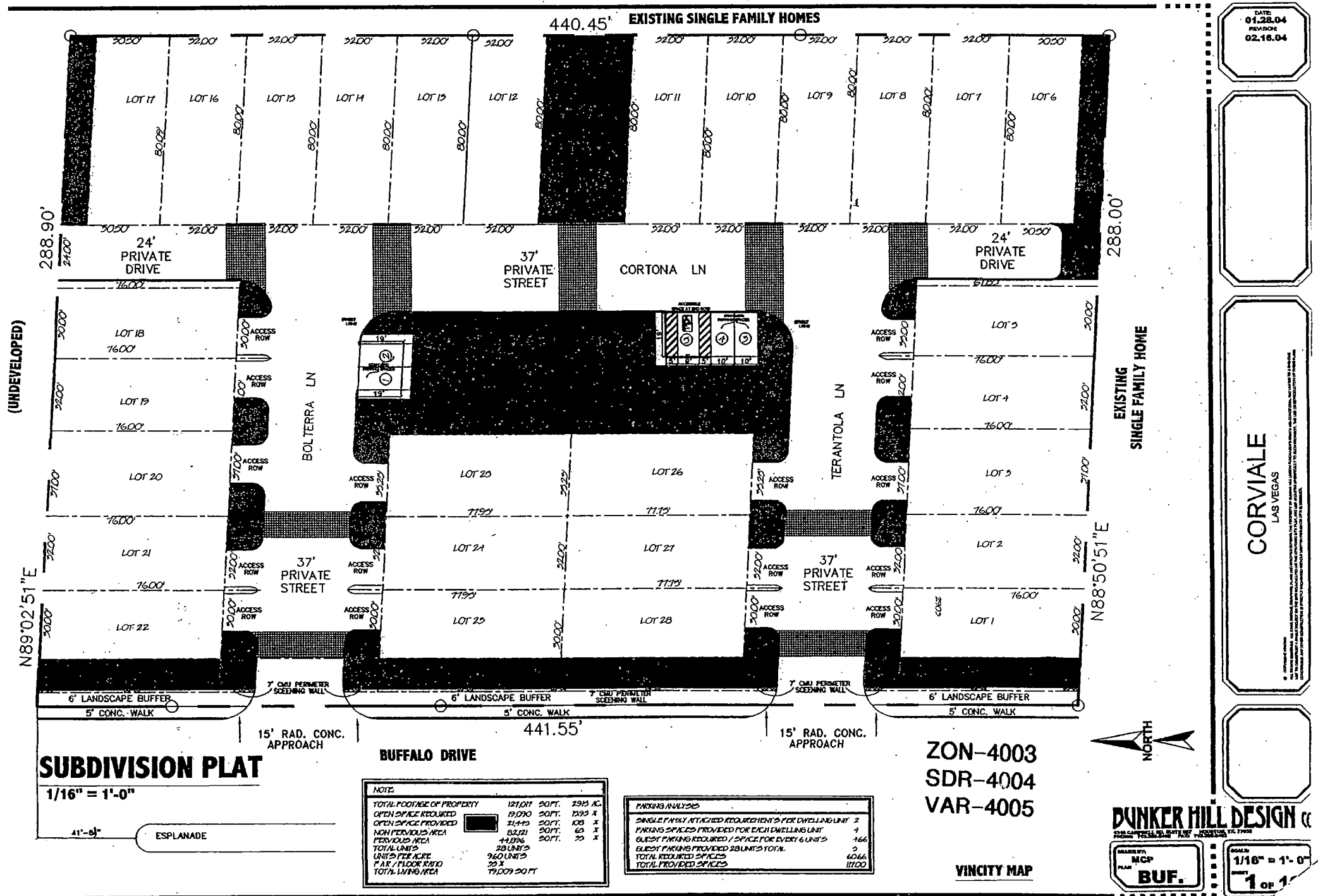
Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2007

[Signature]
Notary Public in and for said County and State

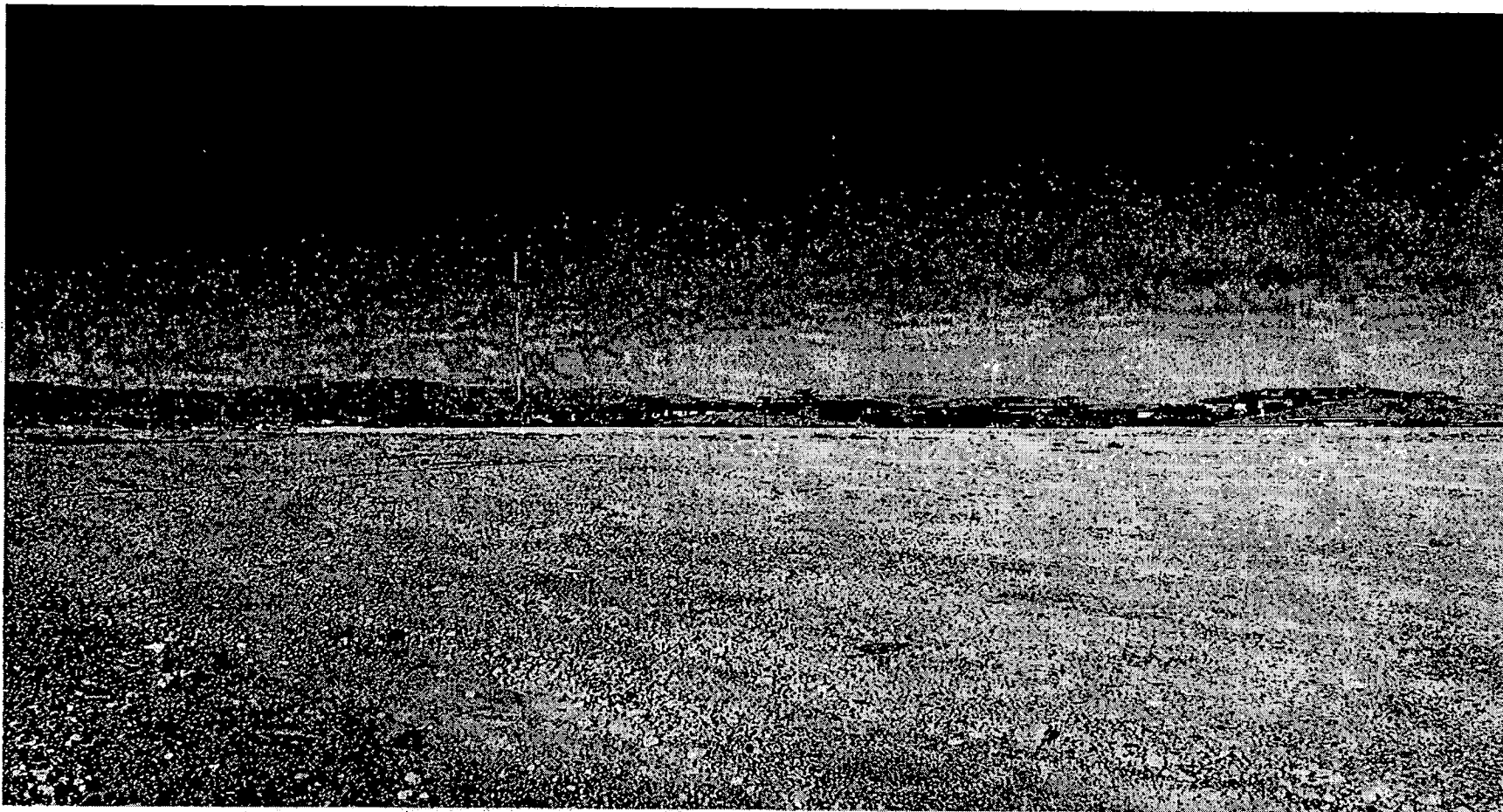






ZON-4003 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



ZON-4003 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

April 1, 2004

Mr. Gary Leobold
Planning and Development Department
Current Planning Division
731 South Fourth St
Las Vegas, Nevada 89101

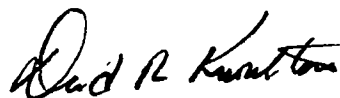
Dear Mr. Leobold,

RE:SDR-4004,ZON-4003,GPA 4000,
VAR-4005

Valencia Communities, Inc has filed the above referenced requests for changes that would permanently alter the character of our neighborhood. I am not optimistic that the Planning Commission considers neighbor's opinions as the new Social Security Building was recently foisted on our neighborhood over strong objections of the residents. However, I am opposed to the further degradation of our residential community by placing high density town homes adjacent to our neighborhood.

The sheer number of the proposed attached 3 story homes with limited parking will destroy our views to the west and will in no way blend with the existing homes. This is not an Eastern city where townhomes are common as lower cost alternatives to free standing homes. For good reason there are existing regulations requiring a minimum of five acres for residential planned developments of this size. To cram this many structures on this small parcel of land is absurd, and will only impact the value of homes in the existing neighborhood.

I request that this written objection be made a matter of record.



David R. Knowlton
1616 Marbella Ridge Ct
Las Vegas, Nevada 89117

CC City Councilwoman Janet Moncreif

GPA-4000
ZON-4003
VAR-4005
SDR-4004p

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4000, ZON-4003 AND VAR-4005 - PUBLIC HEARING - SDR-4004 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC. - Request for a Site Development Plan Review FOR A 28-UNIT ATTACHED SINGLE-FAMILY DEVELOPMENT on 2.92 acres located at 1700 South Buffalo Drive (APN: 163-03-201-003 thru 005), R-E (Residence Estates) Zone, Proposed: R-PD10 (Residential Planned Development - 10 Units per Acre), Ward 1 (Moncrief).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

5

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – DENIED – Motion carried with McSWAIN and NIGRO voting No

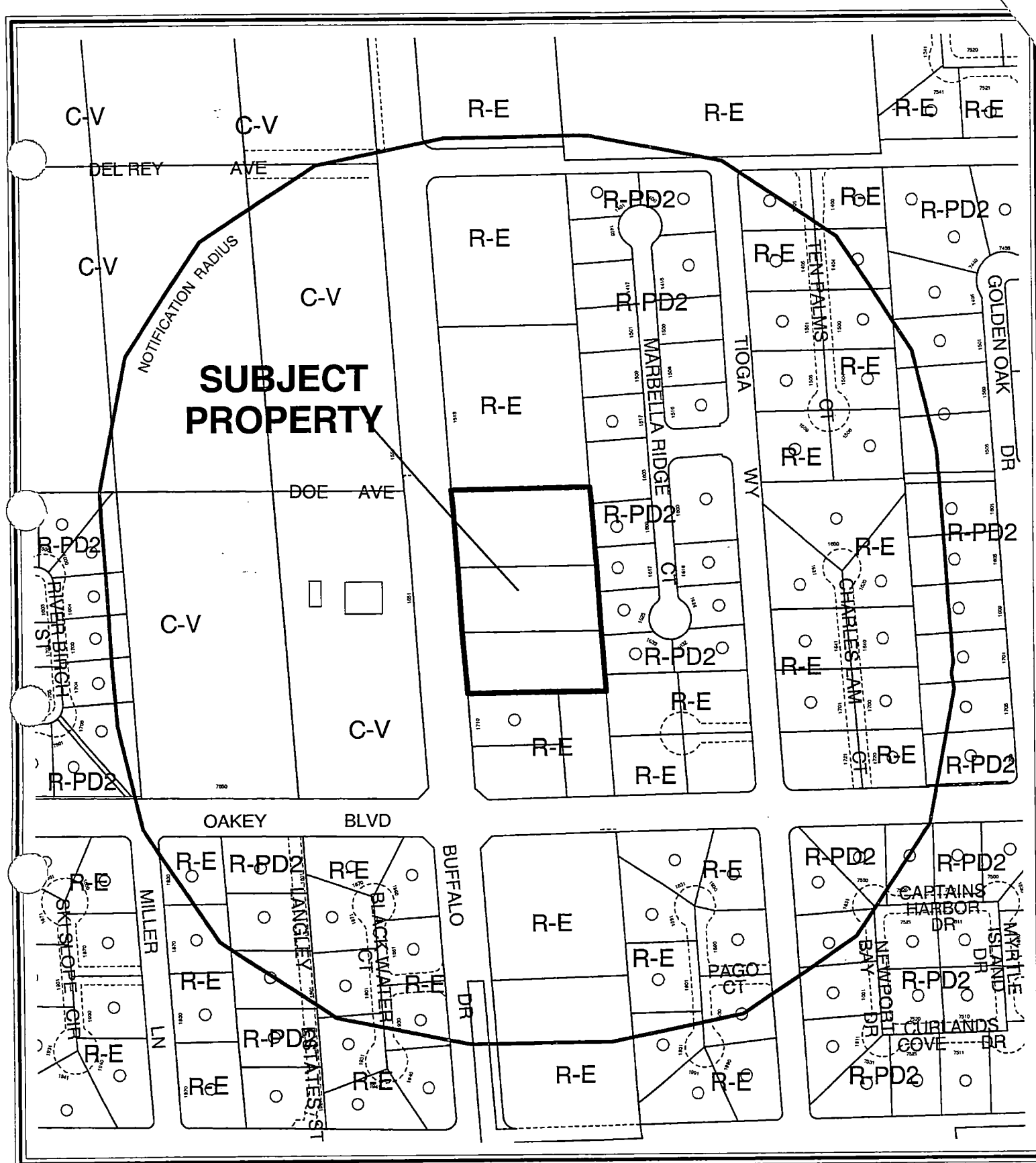
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MINUTES:

NOTE: See Item 34 [GPA-4000] for all related discussion.

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2-1396



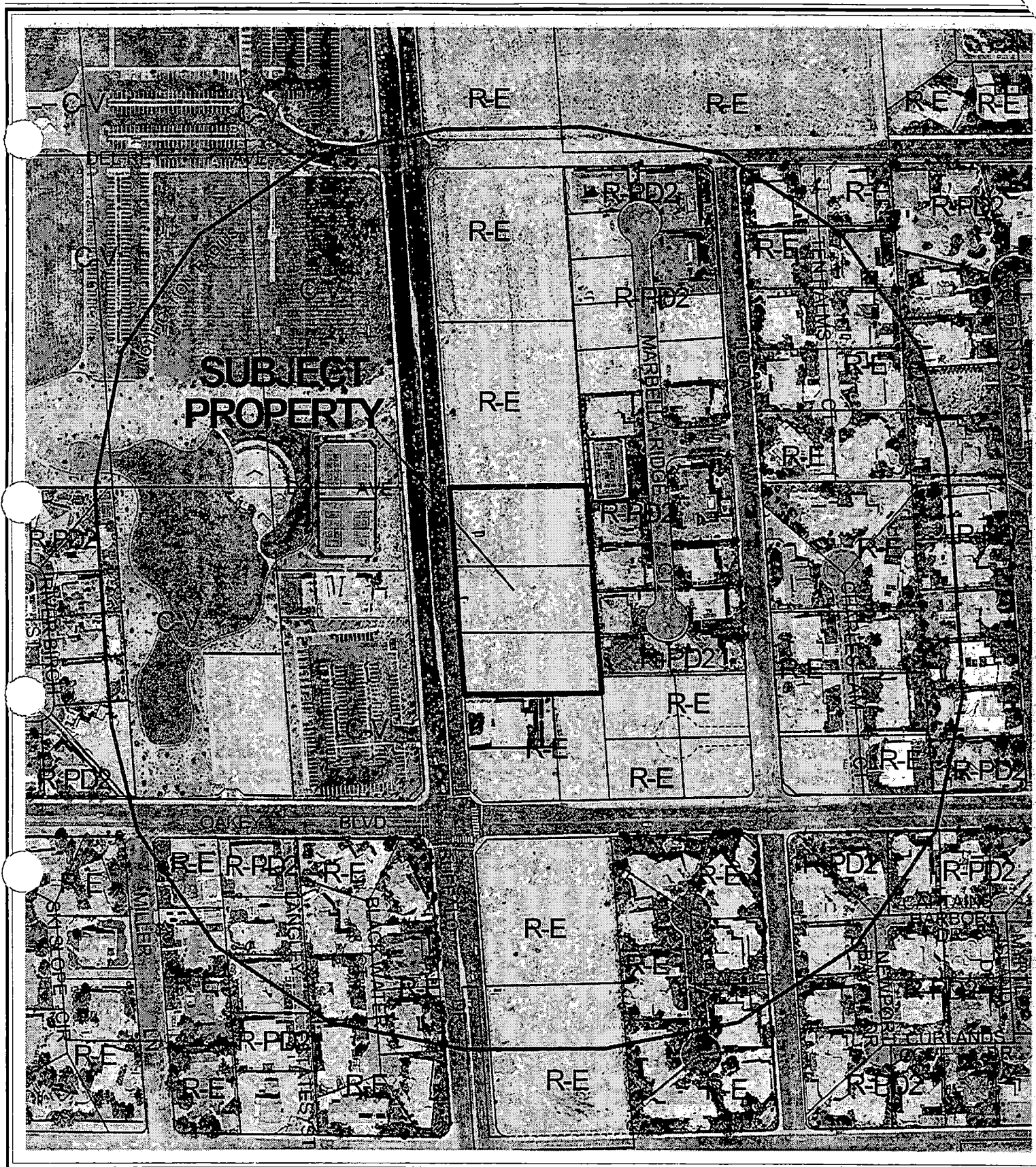
CASE: SDR-4004

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)



CASE: SDR-4004

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PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-4004 - APPLICANT/OWNER: VALENCIA COMMUNITIES, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL If APPROVED, subject to:

Planning and Development

1. A General Plan Amendment (GPA-4000) to an MLA (Medium-Low Attached Density Residential) land use designation, a Rezoning [ZON-4003] to an R-PD10 (Residential Planned Development - 10 Units per Acre) Zoning District and a Variance (VAR-4005) to allow R-PD zoning to be applied to a site smaller than five acres, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of 6 feet and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 3 feet to the front of the house (unless non-flammable construction and other relevant Building Code requirements are incorporated), 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side (zero feet between attached units only) and 5 feet in the rear.
6. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect adequate open space, setbacks, satisfactory driveway lengths and handicap parking as agreed to by the applicant.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

SDR-4004 - Conditions Page Two
April 8, 2004 Planning Commission Meeting

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. All development shall be in conformance with the site plan and building elevations, date stamped 02/16/04, except as amended by conditions herein.

Public Works

16. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Driveways shall not be gated entries and shall have a minimum ingress and egress radius of 25-feet.
17. Private streets and private drives shall be common lots that are offered as a public utility easements (P.U.E), City of Las Vegas public sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
18. The distance from the face of the garage door to the back of sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 18 feet or a maximum distance of 5 feet to prevent a vehicle in the driveway from encroaching into the vehicular or pedestrian travel corridor.
19. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

SDR-4004 - Conditions Page Three
April 8, 2004 Planning Commission Meeting

21. Site development to comply with all applicable conditions of approval for ZON-4003 and all other subsequent site-related actions.
22. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. Approval of this Site Development Plan does not constitute approval of any deviations. We note that the intersections of Bolterra Lane and Terantola Lane with Cortona Lane have not been designed with standard knuckles.
23. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
24. Coordinate with the City Surveyor to determine whether a Merger and Resubdivisions Map or other map is necessary. Comply with the recommendations of the City Surveyor.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 28-lot attached single-family residential project (24 attached single-family units and four single-family units) on a 2.92-acre parcel located at 1700 South Buffalo Drive. Companion applications for a General Plan Amendment (GPA-4000) from the DR (Desert Rural Density Residential) to the MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4005) to allow Residential Planned Development zoning to be used on a parcel smaller than five acres, and from R-E (Residence Estates) to R-PD10 (Residential Planned Development - 10 Units per Acre) will be heard concurrently with this application.

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SDR-4004 - Staff Report Page Two
April 8, 2004 Planning Commission Meeting

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- Residents had a concern over a narrow 15-foot separation from homes along the eastern boundary of the property.
- Residents had a preference for single-story or two-story custom homes.
- Some residents indicated they would support one-story offices instead of residential.
- Residents would like the Planning Commission agenda to read something other than "condominium," as this would increase the probability of future high-density development along Buffalo Drive and the possibility of low-end condominiums in the \$90k range.
- Residents would like the project to be gated.
- Residents would like the trail section to be moved from the west side of the property along Buffalo Drive to the east side of the property to increase the width between the new development and the existing homes.
- Residents would like the retaining walls and landscaping along the east side to help separate the project from existing homes on the east.
- Increased density would result in less privacy, as more residences would overlook existing homes to the east.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.92

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Single family residence and undeveloped
East: Single family residential; small park at the northeast corner
West: Park

C) Planned Land Use

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: DR (Desert Rural Density Residential)
East: DR (Desert Rural Density Residential)
West: P/R/OS (Parks/Recreation/Open Space)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates)
East: R-PD2 (Residential Planned Development - 2 Units per Acre)
West: C-V (Civic)

E) General Plan Compliance

The subject site is currently designated on the Southwest Sector Plan map as DR (Desert Rural Density Residential). A companion request (GPA-4000) would change the designation of this site to MLA (Medium-Low Attached Density Residential). The Desert Rural Density Residential Category allows a maximum of two dwelling units per gross acre, in which the predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In contrast, the companion MLA designation request would permit up to 12 dwelling units per acre, an increase of six times the density permitted in the DR designation. The Medium-Low Attached Density Residential category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low-density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. The proposed R-PD10 zoning district would conform to the MLA land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

There are no Special Area Plans, Overlay Districts or Study Areas that affect the subject site.

PROJECT DESCRIPTION

The site plan depicts 24 attached single-family residential lots and four single-family lots on 2.92 gross acres, resulting in a density of 10.41 dwelling units per acre. Twenty-four of the lots will have access to a 37-foot wide private street that loops through the development, with the remaining four lots having access to one of two 24-foot private drives. Access to the development will be from two gated entrances from Buffalo Drive. Attached lots average approximately 2,280 square feet in size, and the detached lots are approximately 2,812 square feet, with typical lot dimensions of 30 feet wide by 76 feet deep for the attached lots, and a 37-foot width for the detached lots. Setbacks proposed for this development are no setback in the front yard, five feet (estimated) in the rear, and three feet for interior side yards (with zero feet on the attached sides). There are no corner side setbacks, as landscape buffers held in common separate corner streets from private property lines.

The applicant has proposed 15-foot wide open space strips separating the front of the lots from the private streets. On-site landscaping areas include six-foot wide planting buffers along Buffalo Drive on the outside of the perimeter wall and several open space areas totaling 21,445 square feet, including a pool and walking paths. These open space areas in total are slightly below the development's open space requirement.

The elevations show three building types for three-story attached residential products and one plan for a detached three-story residential product, all with a maximum building height of 35 feet. Floor plans indicate an average living area of 2,821 square feet per unit. Each dwelling will feature a two-car garage; some driveway lengths appear to be less than 18 feet to the curb, although some additional driveway length may be accommodated under the porte cochere at the front of the buildings. A condition of approval will require the applicant to ensure that all driveways lengths be designed to meet standards. Materials include painted plaster exteriors, wood roof overhangs, and concrete tile roofs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06, the Development Standards for an R-PD zoned project are set out on the site plan. In the case of the subject proposal, these are as follows:

Standards	Proposed
Min. Lot Size	2,280 SF
Min. Lot Width	30 Feet
Min. Setbacks	
• Front	none
• Side	3 Feet (zero feet on attached side)
• Corner	N/A
• Rear	5 Feet (estimated)
Max. Lot Coverage	Not indicated
Max. Building Height	3 Stories / 35 Feet

The front yard setback will have to be revised to at least three feet, or the structures will have to meet Building Code standards for a one-hour fire rating. Any common walls between each pair of attached units will similarly have to meet the same rating standard. Also, rear yard setbacks will have to be provided on the site plan.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	Units	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Single Family, Attached	24 Units	2 spaces/unit + 1 guest space/6 units	48 spaces 4 spaces	none	48 spaces 5 spaces	1 space
Single Family, Detached	4 Units	2 spaces/unit	8 spaces	none	8 spaces	
Totals	28 Units		60 spaces	none	61 spaces	1 space

The project as proposed exceeds the parking requirements of Title 19. The handicap space as designed needs to be revised to provide an 8-foot apron on one side, to meet van accessibility requirements. A condition of approval will address this issue.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet (441 Feet)	23 Trees	Not Indicated
• Min. Zone Width	6 Feet		6 Feet
• Wall height	6 Feet		7 Feet

The applicant has not provided a detailed landscaping plan that shows how many trees and shrubs will be planted in the perimeter strip along Buffalo Drive. If this application is approved, a condition of approval will require this information to be provided prior to the issuance of any building permits.

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
2.92 acres	10.41 u.p.a.	1.65	17.2 %	21,812 SF	16.9%	21,445 SF

As currently configured, the site plan is slightly deficient in open space. The applicant has indicated that a revised site plan will be submitted that addresses the deficit. If not, a condition of approval will require that a Variance application be submitted and approved by the City Council prior to site plan approval.

B) *General Analysis and Discussion*

• Zoning

The site is currently zoned R-E (Residential Estates). A companion Rezoning request (ZON-4003) would, if approved, rezone the subject property to R-PD10 (Residential Planned Development - 10 Units per Acre) in order to allow a greater number of lots to be developed. This designation would be compatible with the proposed MLA (Medium-Low Attached Density Residential) General Plan designation for the site

(GPA-4000), which would allow a density of up to 12 dwelling units per acre. These proposed new zoning and General Plan categories are incompatible with adjacent low-density development, most of which is zoned and developed at two units per acre.

- Site Plan

The site plan contains some significant deficiencies that need to be rectified, should the application be approved. These include:

- i. Front yard setbacks less than three feet;
- ii. Open space below Code requirements;
- iii. The use of front yard areas as common open space; and
- iv. The lack of a landscaping plan.

While the development meets standards with respect to density if the companion General Plan Amendment, Rezoning and Variance applications are approved, it would be three times as dense as the adjacent properties to the south and east. The development proposed for this site is incompatible with the established development pattern of lots surrounding it.

- Waivers

No Waivers have been requested as part of this application.

- Landscape Plan

No conceptual landscape plan has been provided. The site plan and elevations indicate, however, that a six-foot landscaping planter will be provided outside the seven-foot perimeter wall along Buffalo Drive, and that palm trees and shrubs will be planted in this area. Staff will work with the applicant to ensure that a landscape plan that shows a sufficient amount and type of planting to meet the requirements of Title 19.12 and the Landscape, Wall, and Buffer Standards.

The development will contain several open space areas for communal use. Based on discussions with adjacent residents, a common area shown on the inside of the western boundary wall may be moved to the east side of the property, to provide for additional separation from the adjacent existing residential area to the east.

- Elevation

The proposed elevations depict three-story homes, 24 of which are designed in attached pairs, and four of which are fully detached. Building height will be limited to 35 feet. The units display balconies and a significant amount of exterior detail, including pop-outs, columns and individual garage doors. These homes are capped with low-angle tile roofs.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **"The proposed development is compatible with adjacent development and development in the area;"**

The proposed development features a higher density, greater building height and smaller lot size than the residential properties surrounding it to the east and south. The proposed development is therefore incompatible with adjacent development.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposed development is consistent with the General Plan, provided a companion General Plan Amendment is approved. It is inconsistent with some aspects of Title 19, including the open space and setback regulations. The setback issue is in contravention with Building Code requirements, as the buildings are currently designed.

3. **"Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;"**

Access to the property will be available from Buffalo Drive, designated as a Primary (100-foot) Arterial on the Master Plan of Streets and Highways. This street is adequate to meet traffic demands of this proposed attached single-family residential development.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

The building and landscape materials are appropriate for this type of development in this portion of the City. If this plan is approved, a landscaping plan would have to be provided, detailing how trees and additional shrubs would be placed to conform to Title 19.12 and the Landscape, Wall, and Buffer Standards.

5. **"Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;"**

The proposed elevations depict three-story homes, which are in contrast to the low-density homes typical in this area of the city.

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 90 (Mailed with GPA-4000, ZON-4003 and SDR-4004)

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-4004 APN: _____

Name of Property Owner: Valencia Communities, Inc.

Name of Applicant: Valencia Communities, Inc.

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

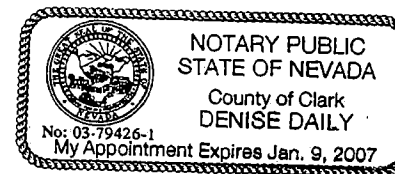
Signature of Property Owner/Authorized Agent: [Signature]

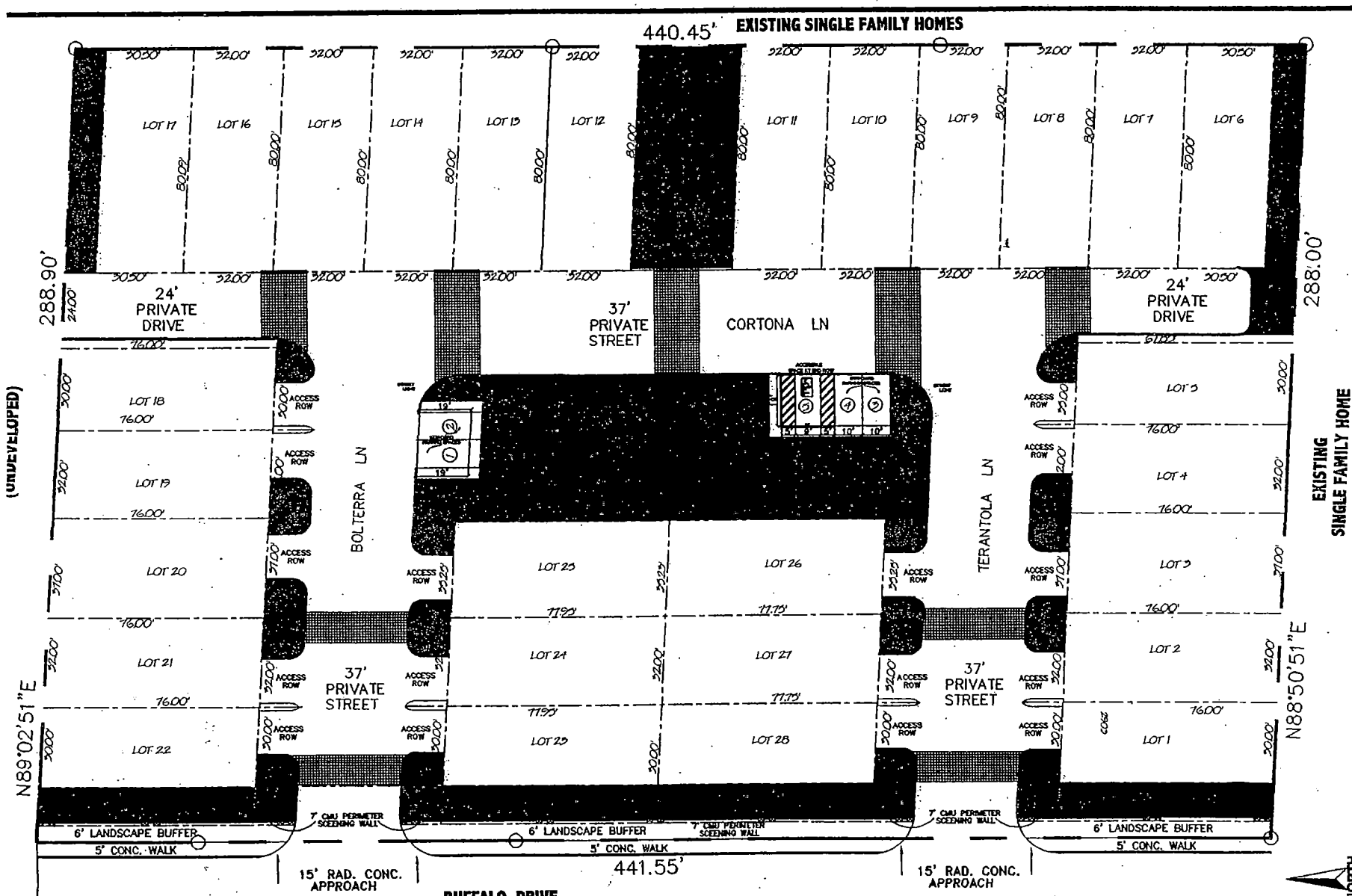
Print Name: Christopher Ferguson, President

Subscribed and sworn before me

This 23rd day of February, 2004

[Signature]
Notary Public in and for said County and State





(UNDEVELOPED)

N89°02'51"E



SUBDIVISION PLAT

1/16" = 1'-0"

41'-8" ESPLANADE

NOTE:			
TOTAL FOOTAGE OF PROPERTY	121,011	20 FT.	2915 AC.
OPEN SPACE REQUIRED	19,090	20 FT.	1293 X
OPEN SPACE PROVIDED	21,113	20 FT.	108 X
NON PERVIOUS AREA	82,121	20 FT.	60 X
PERVIOUS AREA	44,876	20 FT.	22 X
TOTAL UNITS	20 UNITS		
UNITS PER ACRE	940 UNITS		
PAK / FLOOR RATIO	22 X		
TOTAL LIVING AREA	79,009 SQ FT		

PARKING ANALYSIS	
SINGLE FAMILY ATTACHED REQUIREMENTS FOR DWELLING UNIT 2	
PARKING SPACES PROVIDED FOR EACH DWELLING UNIT	4
GUEST PARKING REQUIRED / SPACE FOR EVERY 6 UNITS	166
GUEST PARKING PROVIDED 20 UNITS TOTAL	80
TOTAL REQUIRED SPACES	166
TOTAL PROVIDED SPACES	1100

ZON-4003
SDR-4004
VAR-4005

VINCITY MAP

DUNKER HILL DESIGN CC

2200 S. PETERSON BLVD. SUITE 100, LAS VEGAS, NV 89102

PHONE: (702) 735-1100 FAX: (702) 735-1101

WWW.DUNKERHILLDESIGN.COM

SCALE: 1/16" = 1'-0"

DATE: 01.28.04

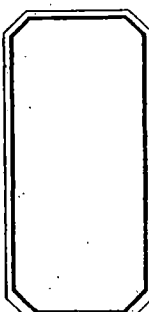
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DESIGNED BY: MCP

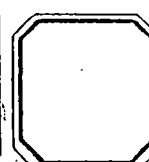
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1 OF 1

DATE: 01.28.04
REVISION: 02.16.04



CORVALE
LAS VEGAS





ESPLANADE

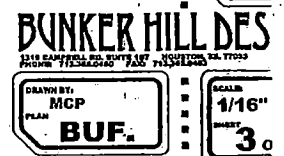
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PARKING SPACES PROVIDED FOR EACH DWELLING UNIT	4
GUEST PARKING REQUIRED / SPACE FOR EVERY 6 UNITS	166
GUEST PARKING PROVIDED 28 UNITS TOTAL	
TOTAL REQUIRED SPACES	6066
TOTAL PROVIDED SPACES	11700

VINCITY MAP



1/16" = 1'-0"
2 OF 10

CORVIALE


$$\frac{1}{16}'' = 1'-0''$$

BUFFALO DRIVE

ZON-4003

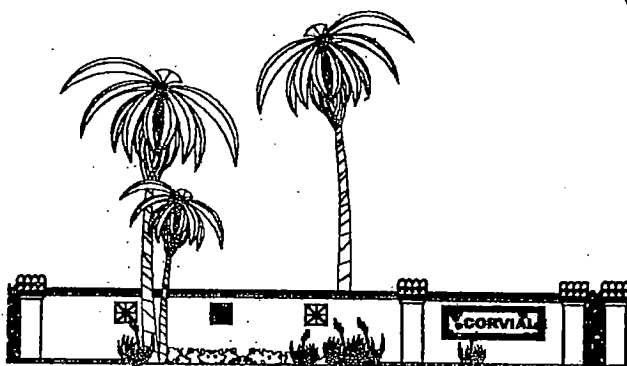
SDR-4004

VAR-4005

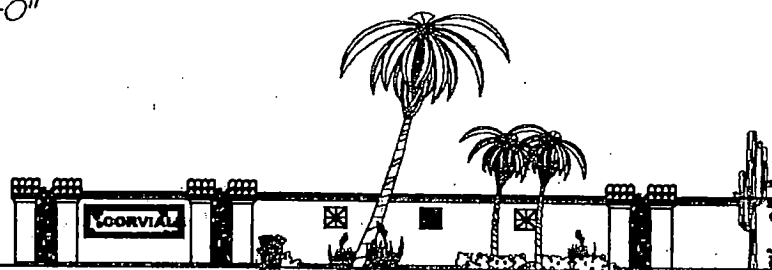
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FRONT ELEVATION
SCALE: 3/16" = 1'-0"



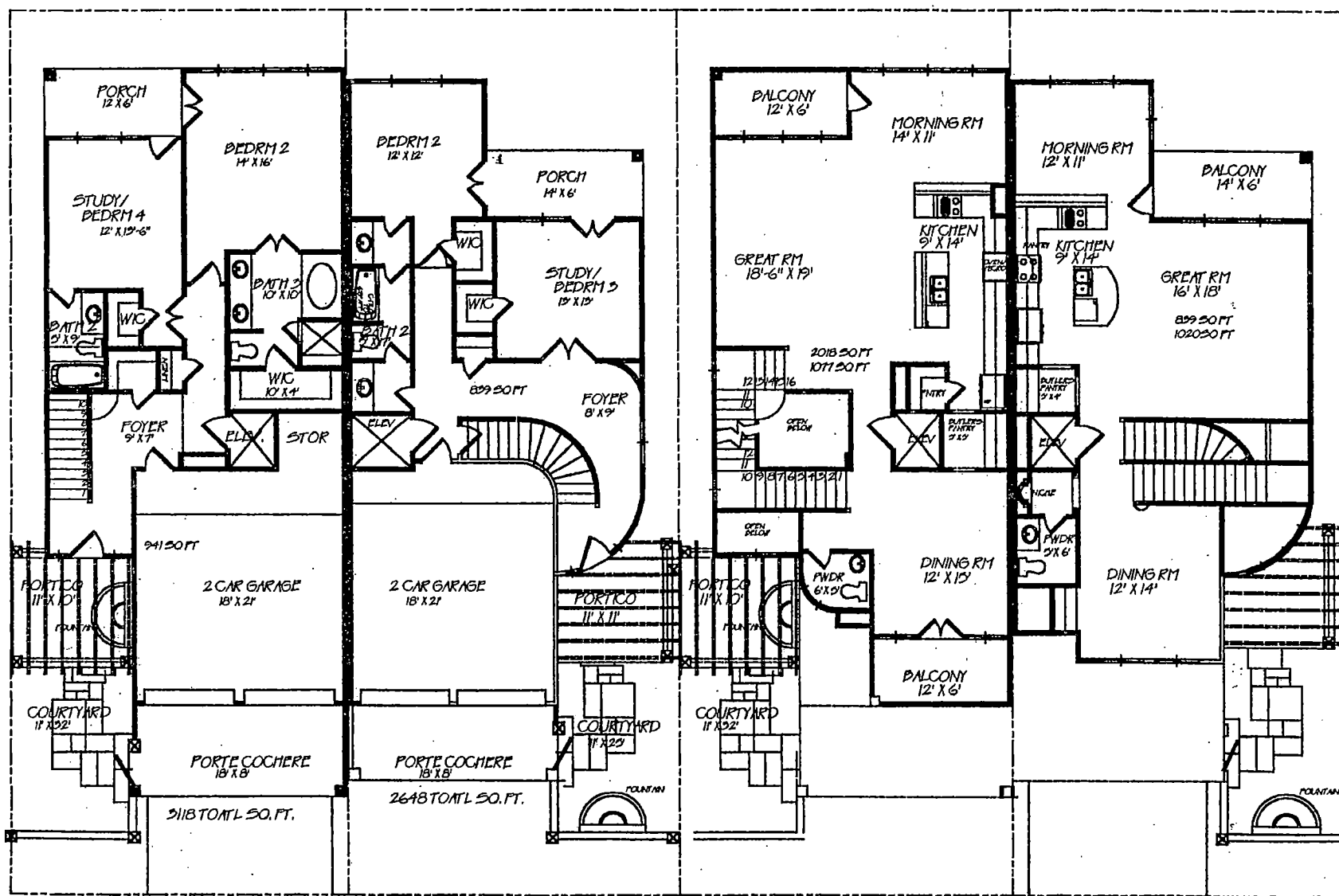
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



ZON-4003
SDR-4004
VAR-4005

DUNKER HILL DESIGN co.
DATE: 11-24-83
REVISION:
BUF 30
4 of 10

CORVIALE
LAS VEGAS



DATE
11.24.03
REVISION

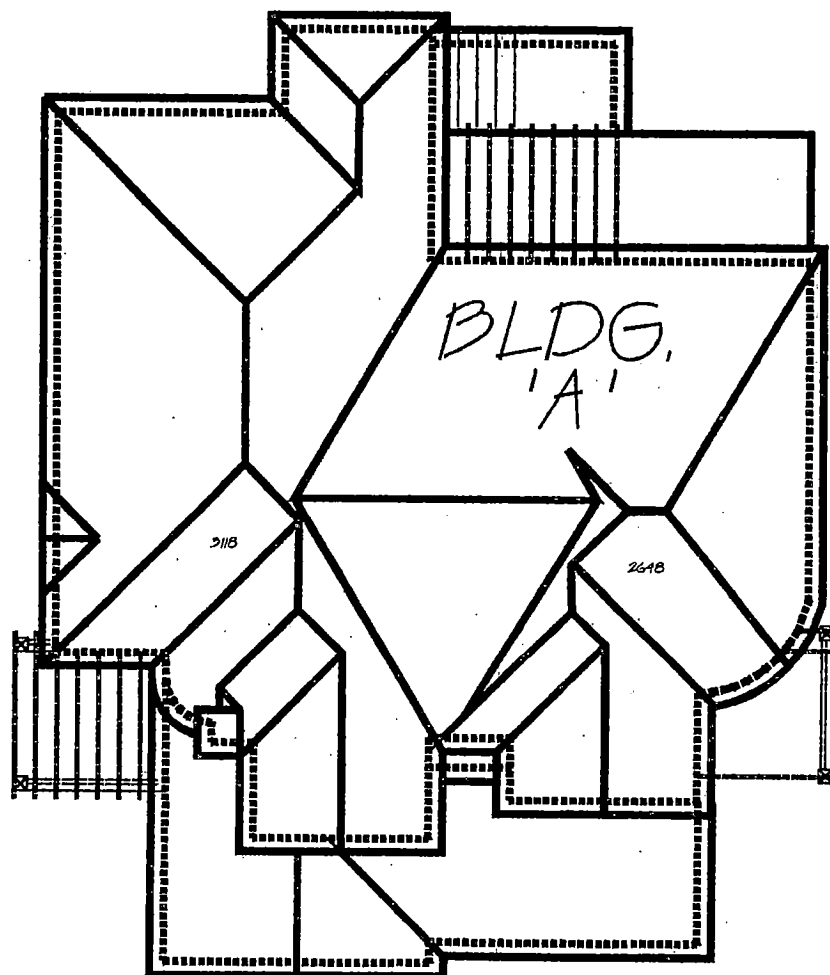
CORVALE
LAS VEGAS

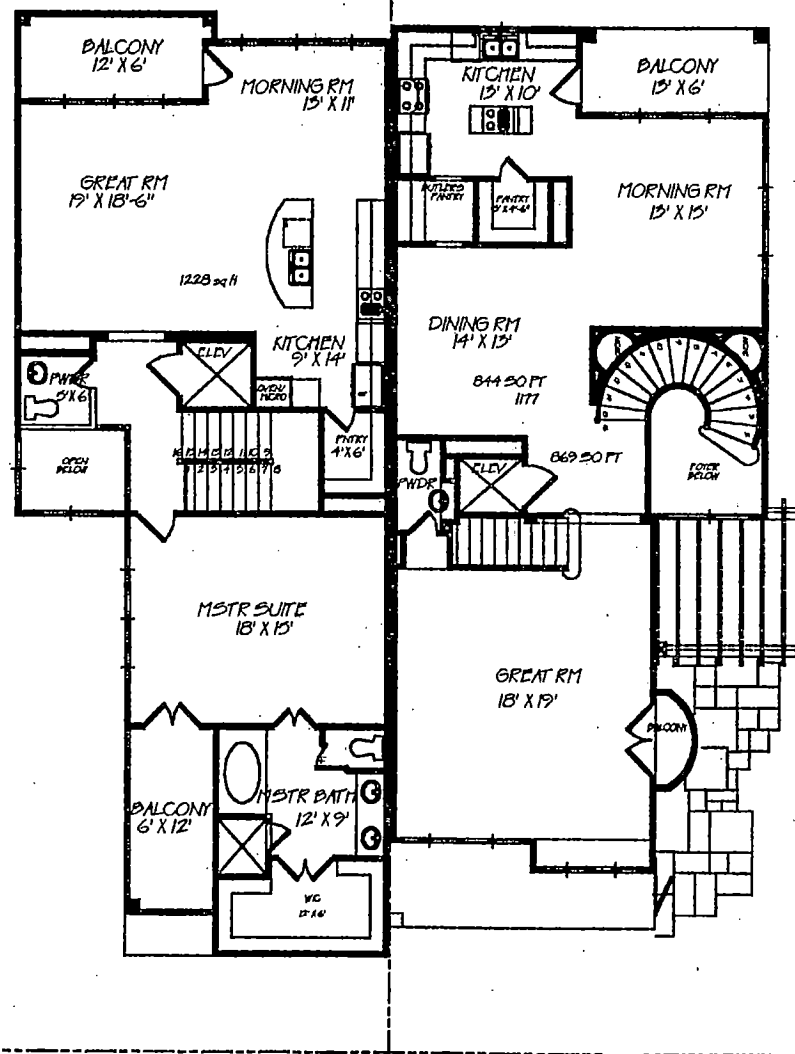
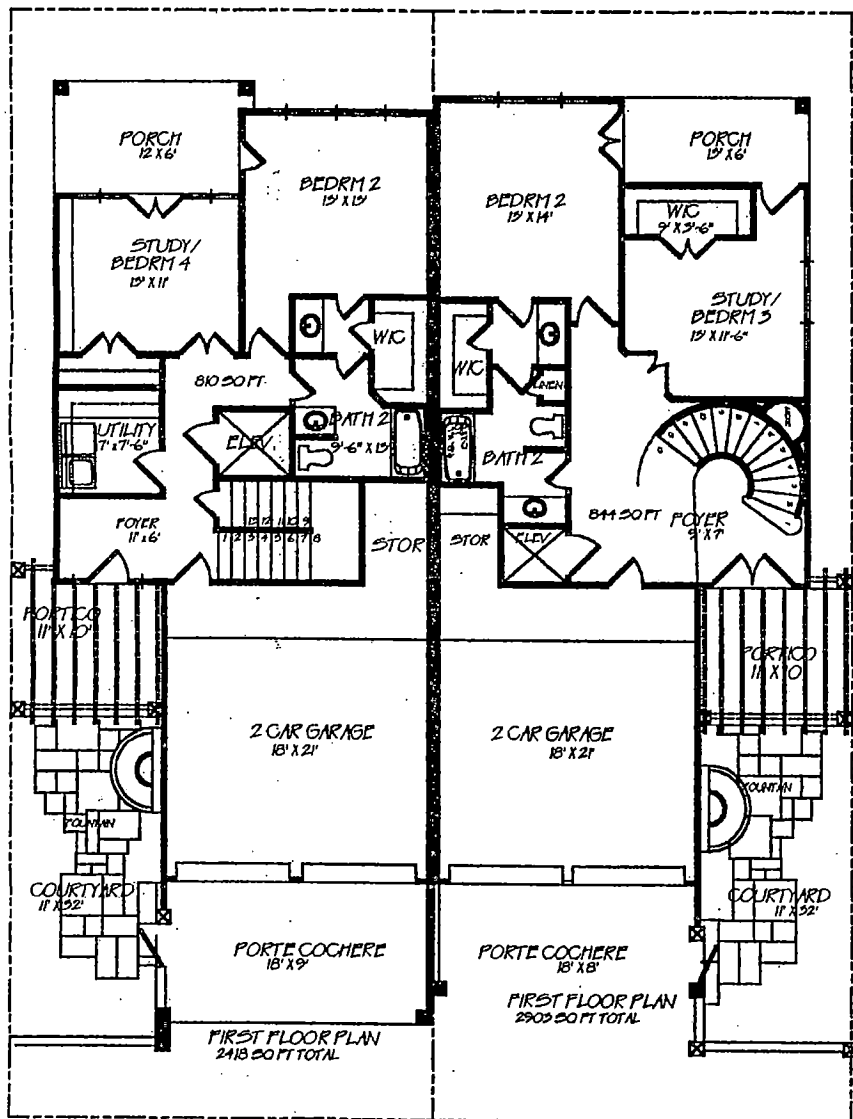
ZON-4003
SDR-4004
VAR-4005

DUNKER HILL DESIGN CO.

BLDG. 'A'

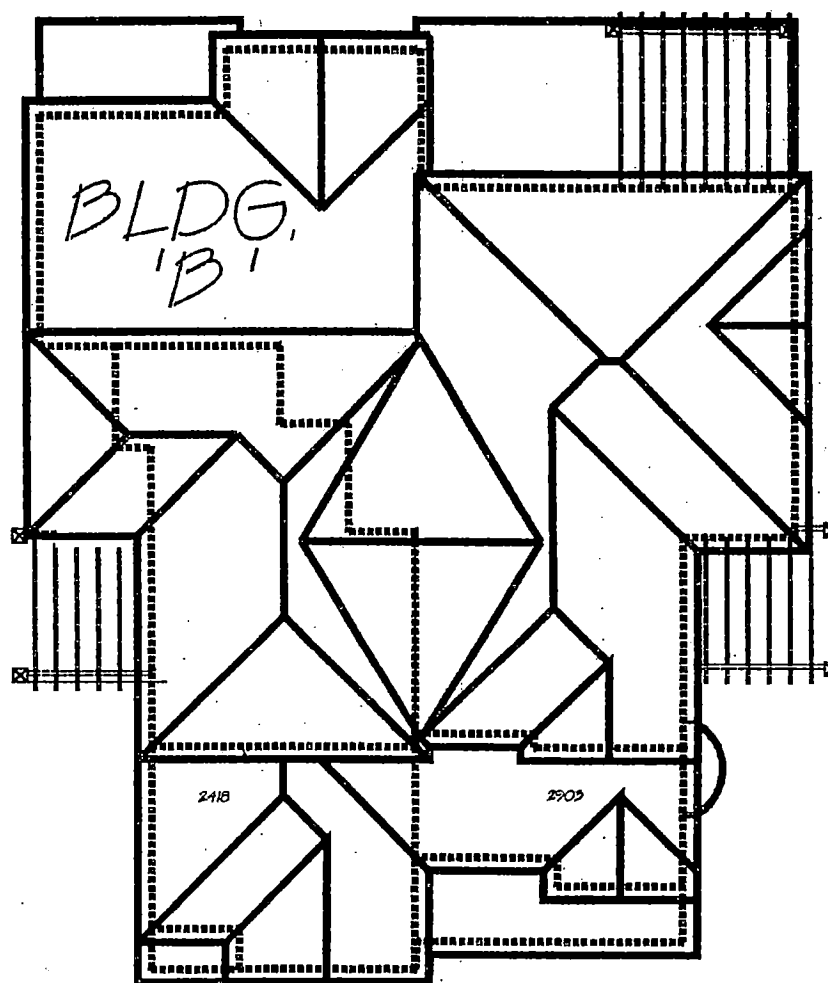
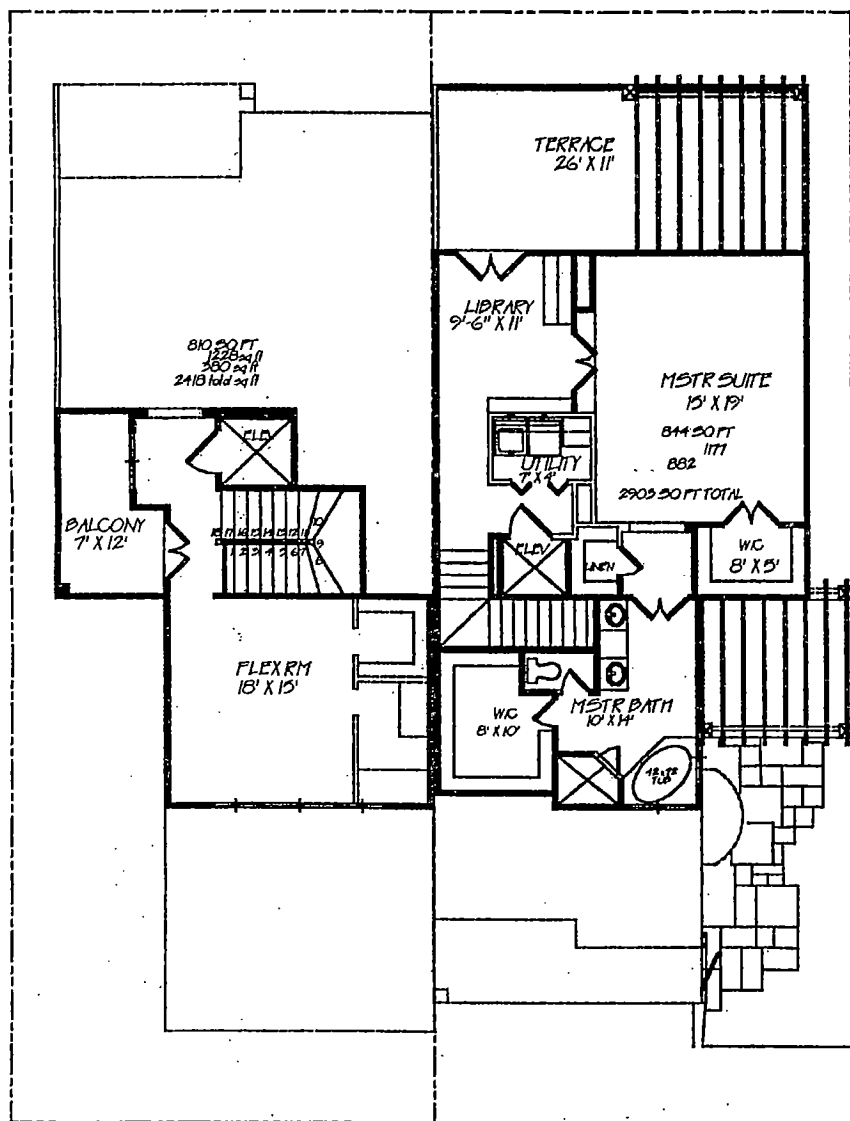
5 of 10





ZON-4003
 SDR-4004
 VAR-4005

CORVALE
 LAS VEGAS



ZON-4003
SDR-4004
VAR-4005

BUNKER HILL DESIGN 
 1/4" = 1'-0"
 8 or 10

DATE
11.24.03
REVISION

CORVALE
LAS VEGAS

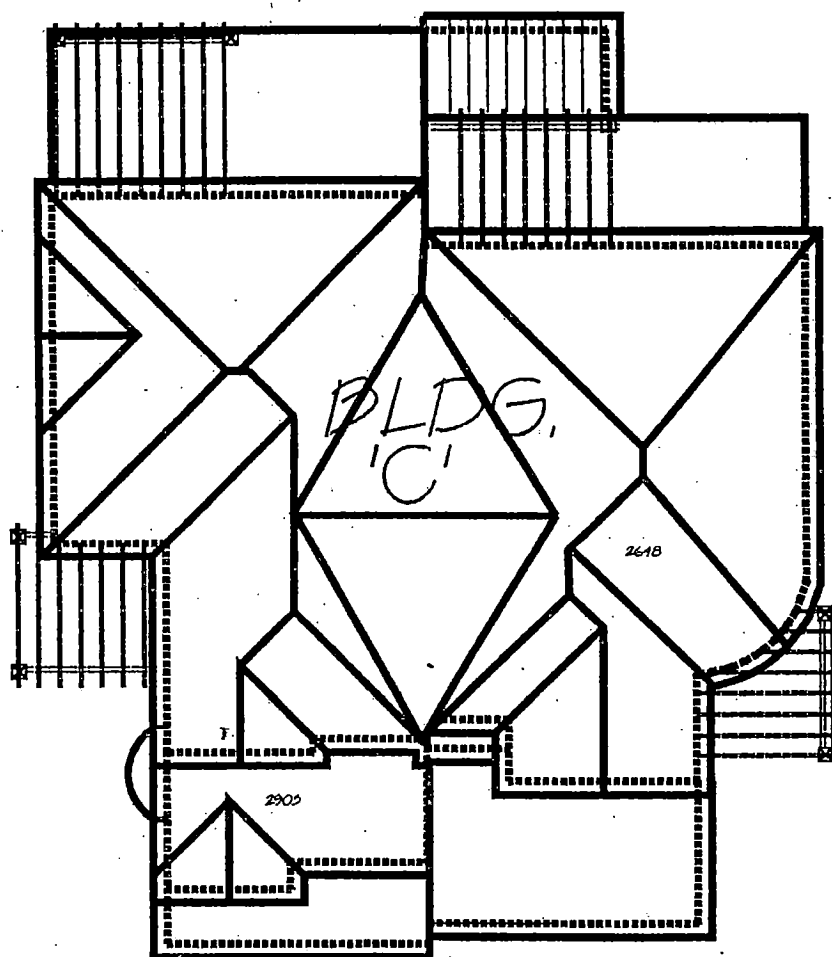
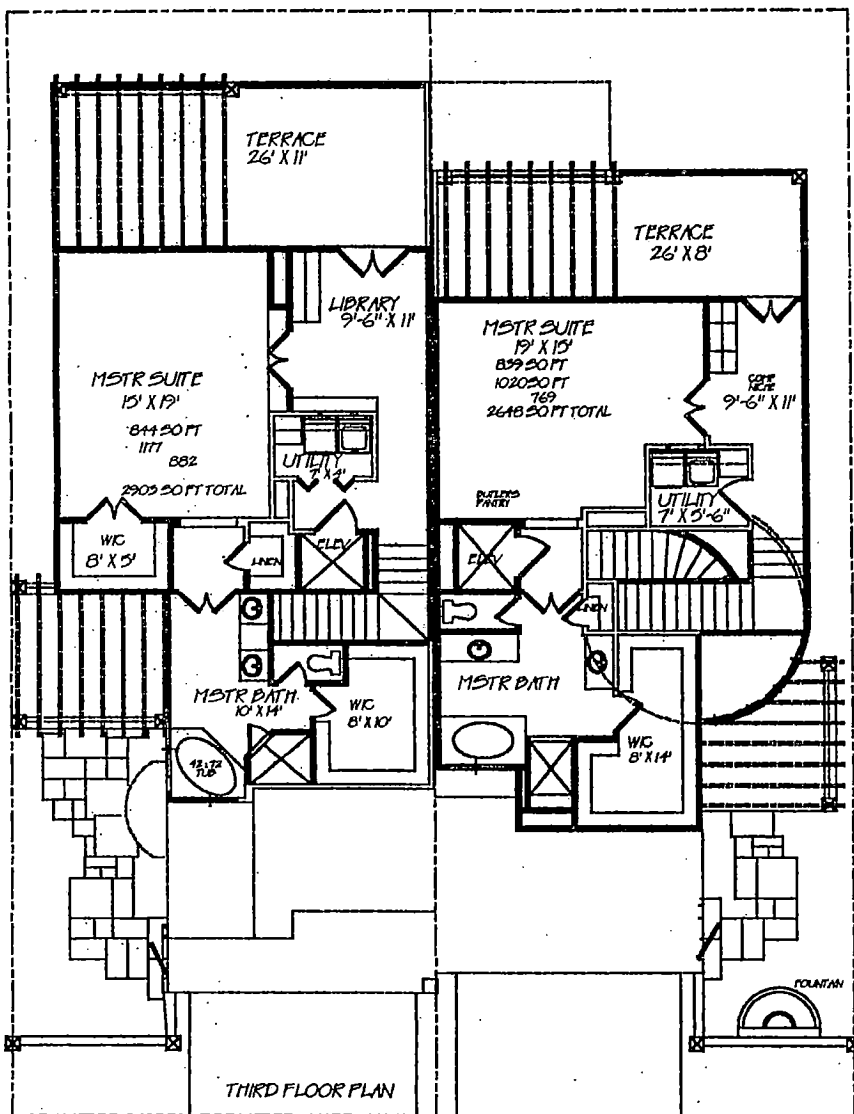


PUNKER HILL DESIGN CO.
 2224 THOMAS ST. N.W. • ATLANTA, GA 30309

PROJECT # MCP PLAN BLDG. 'C'	SCALE 1/4" = 1'-0" SHEET 9 OF 10

DATE
11.24.03

CORVIALE
LAS VEGAS



ZON-4003
SDR-4004
VAR-4005

BUNKER HILL DESIGN 
ARCHITECTS
1/4" = 1'-0"
70 of 10

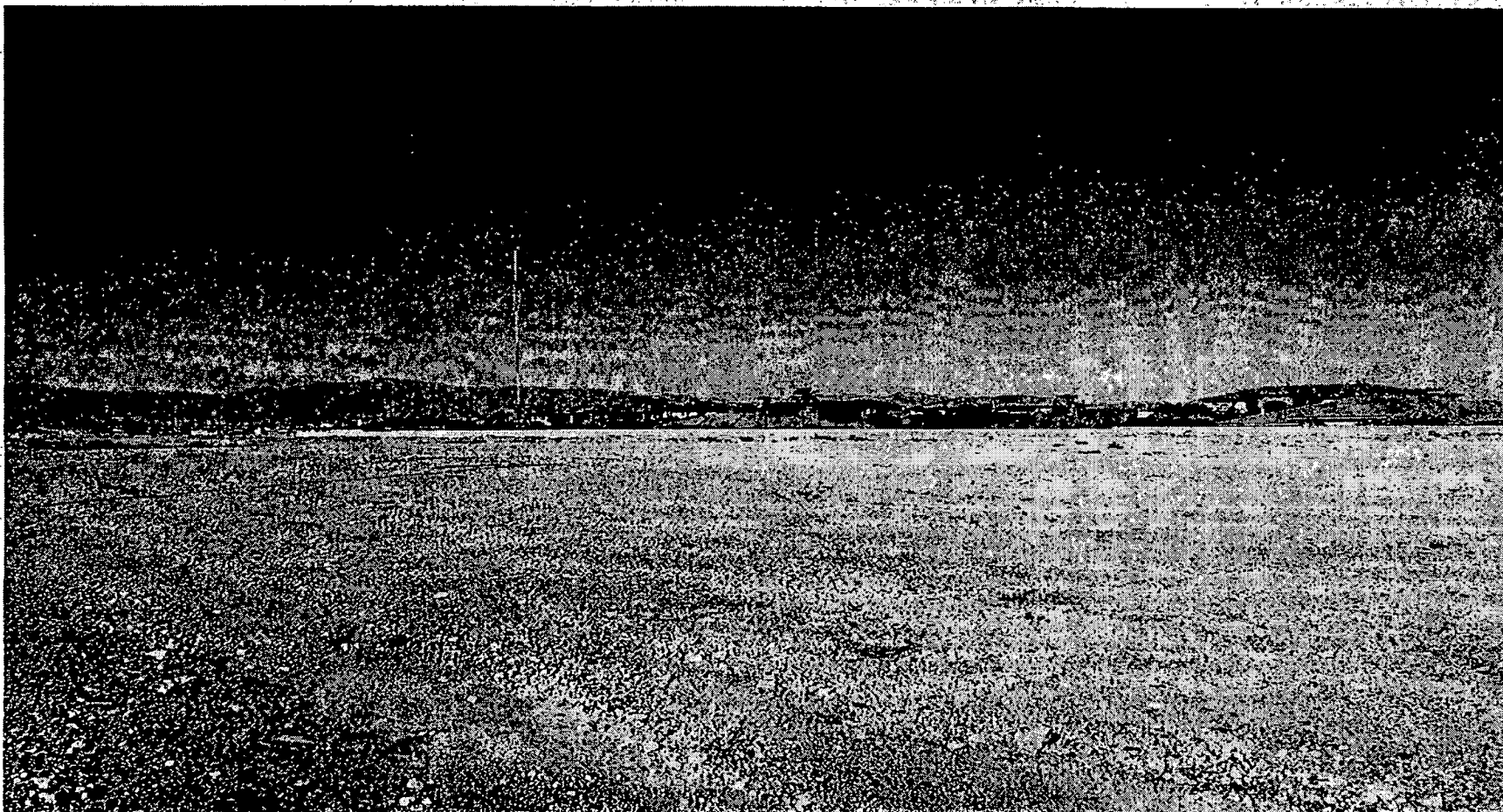
DATE
11.24.03
REVISION

CORVIALE
LAS VEGAS



SDR-4004 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04



SDR-4004 - APPLICANT / OWNER: VALENCIA COMMUNITIES, INC.
1700 SOUTH BUFFALO DRIVE
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

April 1, 2004

Mr. Gary Leobold
Planning and Development Department
Current Planning Division
731 South Fourth St
Las Vegas, Nevada 89101

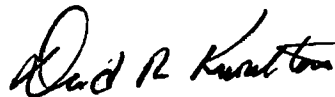
Dear Mr. Leobold,

RE:SDR-4004,ZON-4003,GPA 4000,
VAR-4005

Valencia Communities, Inc has filed the above referenced requests for changes that would permanently alter the character of our neighborhood. I am not optimistic that the Planning Commission considers neighbor's opinions as the new Social Security Building was recently foisted on our neighborhood over strong objections of the residents. However, I am opposed to the further degradation of our residential community by placing high density town homes adjacent to our neighborhood.

The sheer number of the proposed attached 3 story homes with limited parking will destroy our views to the west and will in no way blend with the existing homes. This is not an Eastern city where townhomes are common as lower cost alternatives to free standing homes. For good reason there are existing regulations requiring a minimum of five acres for residential planned developments of this size. To cram this many structures on this small parcel of land is absurd, and will only impact the value of homes in the existing neighborhood.

I request that this written objection be made a matter of record.



David R. Knowlton
1616 Marbella Ridge Ct
Las Vegas, Nevada 89117

CC City Councilwoman Janet Moncreif

GPA-4000
ZON-4003
VAR-4005
SDR-4004P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MAJOR MODIFICATION - PUBLIC HEARING - MOD-3955 - APPLICANT: CLIFFS EDGE, LIMITED LIABILITY COMPANY - OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY, ET AL - Request for a Major Modification to the Cliff's Edge Master Development Plan TO CHANGE LAND USE DESIGNATIONS FROM: VILLAGE COMMERCIAL TO: MEDIUM LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL; FROM: MEDIUM DENSITY RESIDENTIAL TO: RESIDENTIAL SMALL LOT; AND FROM: MEDIUM LOW DENSITY RESIDENTIAL TO: PUBLIC FACILITIES; TO MODIFY SECTION 6.2.3 REGARDING RETAINING WALLS; AND TO MODIFY TABLE 1 (SECTION 2.2) TO REFLECT CHANGES TO THE LAND USE CATEGORIES on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road (APN: 126-13-401-014; 126-13-701-002, 003, 004, and 008; 126-24-501-004; 126-24-601-002 and 003), PD (Planned Development) Zone, Ward 6 (Mack).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

NIGRO – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining as her company has been awarded a gas contract that benefits this project

To be heard by the City Council on 5/5/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 38 – MOD-3955

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, explained that the application is driven by two changes. One is the reduction in the amount of Village Commercial depicted on the map as three and four, and by a correction to the pump and reservoir site numbered 1 to include the full 20 acres dedicated to that purpose within that area. The plan was approved in March of 2003 and has undergone subsequent amendments. The applicant is trying to rebalance proposed land uses within the overall plan based on the land assemblage and other factors. The changes are basically a reduction in Village Commercial. The area has been changed with different residential densities. There has to be an adjustment so that the overall residential density within the planned area remains under the eight-unit per acre maximum that is prescribed on the P-CD land use designation in the General Plan. The change is to add 50 residential units to the planned area based on the redistribution of allowed residential densities.

MR. LEOBOLD indicated that there is a table that gives all the acreages and total units within the area. In the design guidelines portion of the document, the applicant is proposing to add a new fourth paragraph to the height and setback subsection of Section 623, retaining walls. The addition is for common areas greater than 15 feet in width while terracing may be allowed within the common areas. For common areas 15 feet or less, terracing must occur within the builder's parcel and an additional dedication to the HOA is required. Staff feels this is a positive change because it will ensure that larger areas are uninterrupted by changes in grade through terracing, and it will clarify the intent of the use of these common areas in the plan. Therefore, staff recommended approval.

ATTORNEY MARK FIORENTINO and CALVIN CHAMPLIN appeared on behalf of the applicant and concurred with all conditions.

TODD FARLOW, 240 North 19th Street, expressed concern about losing too much commercial. The Town Center was planned for mixed use with residential above commercial. He suggested that the applicant create a similar design.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(8:41 – 8:47)

2-2886

CONDITIONS:

Planning and Development

1. Conformance to the Cliff's Edge Master Development Plan, as appropriate, except as amended by this request.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 38 – MOD-3955

CONDITIONS – Continued:

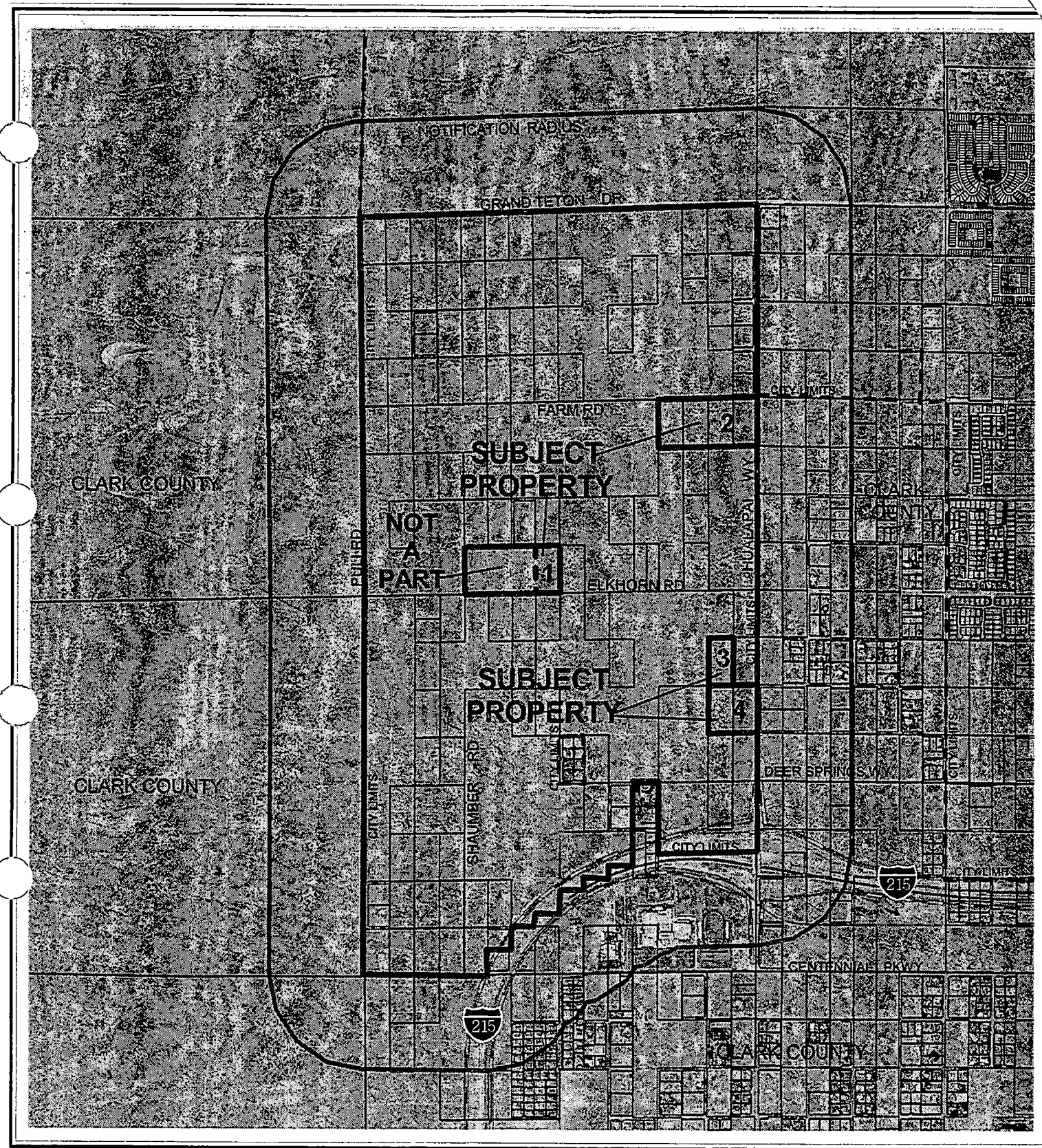
2. Within the Cliff's Edge Master Development Plan, revise Table 1, Cliff's Edge Planned Land Use (page 9), as follows:
 - Reduce Medium Residential acreage from 85.5 acres to 75.5 acres, and reduce total units from 2,138 to 1,888;
 - Increase Residential Small Lot acreage from 125 acres to 145 acres, and increase total units from 1,875 to 2,175;
 - Reduce Village Commercial acreage from 30 acres to 15 acres;
 - Increase Public Facility acreage from 205 acres to 210 acres;
 - Remove 10 acres noted as "not a part";
 - Increase overall total units from 9,042 to 9,092 units; and
 - Change the overall density notation from 7.89 u.p.a. to 7.93 u.p.a.
3. Within the Cliff's Edge Master Development Plan, revise Figure 2, Planned Land Use (page 10), as follows and as illustrated on the revised copy of Figure 2 as submitted:
 - Change Pod 125 from VC (Village Commercial) to M (Medium Density Residential);
 - Change the southwest five acres of Pod 122 from VC (Village Commercial) to ML (Medium-Low Density Residential);
 - Change Pod 113 from M (Medium Density Residential) to RSL (Residential Small Lot); and
 - Change the southwest five acres of Pod 115 from ML (Medium-Low Density Residential) to P&R (Pump and Reservoir).
4. Within the Cliff's Edge Design Guidelines, add a new fourth paragraph to the "Height and Setback" subsection of Section 6.2.3 (Retaining Walls) on page 6-4, to read as follows:

"For common areas greater than 15 feet in width, wall terracing may be allowed within the common area. For common areas 15 feet or less, terracing must occur within the builder's parcel and additional dedication to the HOA is required."
- Public Works
5. An update to the Master Sewer Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 38 – MOD-3955

CONDITIONS – Continued:

the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.



CASE: MOD-3955

NOTIFICATION RADIUS: 1320 FT

0 1000 2000 Feet



MAP LEGEND

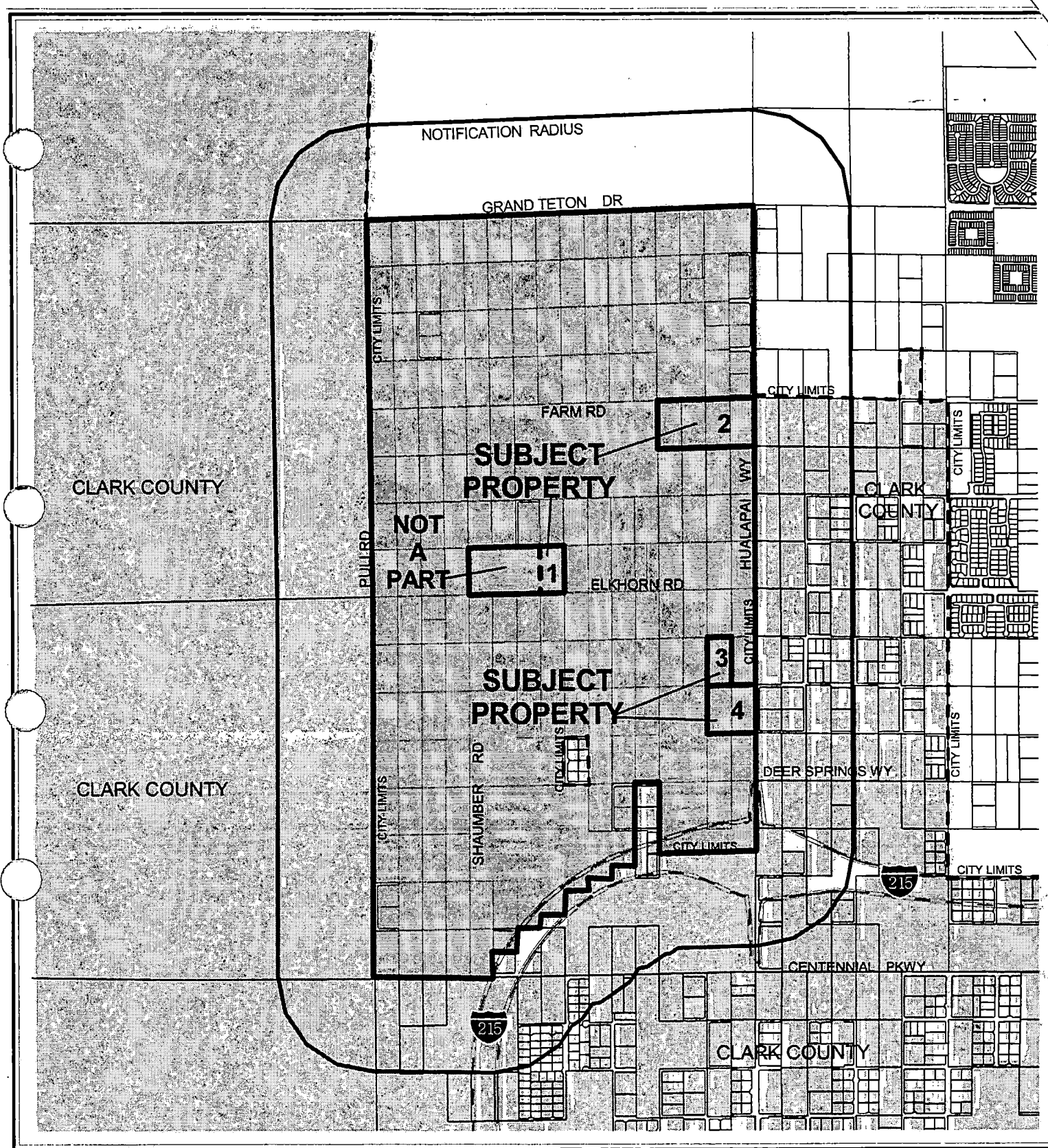
-  CLIFF'S EDGE MASTER DEVELOPMENT PLAN AREA
-  CLARK COUNTY

FROM

- 1 ML (Medium Low Density Residential)
- 2 M (Medium Density Residential)
- 3 VC (Village Commercial)
- 4 VC (Village Commercial)

TO

- PF (Public Facilities)
- RSL (Residential Small Lot)
- ML (Medium-Low Density Residential)
- M (Medium Density Residential)



CASE: MOD-3955

NOTIFICATION RADIUS: 1320 FT

0 1000 2000 Feet



MAP LEGEND

-  CLIFF'S EDGE MASTER DEVELOPMENT PLAN AREA
-  CLARK COUNTY

FROM

- 1 ML (Medium Low Density Residential)
- 2 M (Medium Density Residential)
- 3 VC (Village Commercial)
- 4 VC (Village Commercial)

TO

- PF (Public Facilities)
- RSL (Residential Small Lot)
- ML (Medium-Low Density Residential)
- M (Medium Density Residential)

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-3955 - APPLICANT: CLIFFS EDGE, LIMITED LIABILITY
COMPANY - OWNER: CLIFFS EDGE, LIMITED LIABILITY COMPANY, ET AL

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the Cliff's Edge Master Development Plan, as appropriate, except as amended by this request.
2. Within the Cliff's Edge Master Development Plan, revise Table 1, Cliff's Edge Planned Land Use (page 9), as follows:
 - Reduce Medium Residential acreage from 85.5 acres to 75.5 acres, and reduce total units from 2,138 to 1,888;
 - Increase Residential Small Lot acreage from 125 acres to 145 acres, and increase total units from 1,875 to 2,175;
 - Reduce Village Commercial acreage from 30 acres to 15 acres;
 - Increase Public Facility acreage from 205 acres to 210 acres;
 - Remove 10 acres noted as "not a part";
 - Increase overall total units from 9,042 to 9,092 units; and
 - Change the overall density notation from 7.89 u.p.a. to 7.93 u.p.a..
3. Within the Cliff's Edge Master Development Plan, revise Figure 2, Planned Land Use (page 10), as follows and as illustrated on the revised copy of Figure 2 as submitted:
 - Change Pod 125 from VC (Village Commercial) to M (Medium Density Residential);
 - Change the southwest five acres of Pod 122 from VC (Village Commercial) to ML (Medium-Low Density Residential);
 - Change Pod 113 from M (Medium Density Residential) to RSL (Residential Small Lot); and
 - Change the southwest five acres of Pod 115 from ML (Medium-Low Density Residential) to P&R (Pump and Reservoir).
4. Within the Cliff's Edge Design Guidelines, add a new fourth paragraph to the "Height and Setback" subsection of Section 6.2.3 (Retaining Walls) on page 6-4, to read as follows:

"For common areas greater than 15 feet in width, wall terracing may be allowed within the common area. For common areas 15 feet or less, terracing must occur within the builder's parcel and additional dedication to the HOA is required."

Public Works

5. An update to the Master Sewer Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This application is a request for a Major Modification to the Cliff's Edge Master Development Plan and the Design Guidelines, to modify land use in four areas of the Plan totaling 40 acres, and to make a minor addition to the Entry and Wall Guidelines of the Plan.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed modifications will allow these properties to be processed under the residential land use categories that best accommodate proposed uses for these sites.

BACKGROUND INFORMATION

A) Previous Actions

02/06/02 The City Council approved an Annexation (A-0026-01) of 95 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on 05/10/01. The effective date of this annexation was 02/15/02.

02/06/02 The City Council approved an Annexation (A-0028-01) of 10 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on 05/10/01. The effective date of this annexation was 02/15/02.

06/19/02 The City Council approved an Annexation (A-0027-01) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on 05/10/01. The effective date of this annexation was 06/28/02.

01/08/03 The City Council approved an Annexation (A-0030-02) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on 10/10/02. The effective date of this annexation was 01/17/03.

MOD-3955 - Staff Report Page Two
April 8, 2004 - Planning Commission Meeting

- 02/05/03 The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.
- 03/19/03 The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. Staff had recommended approval. The Planning Commission recommended approval on 02/13/03.
- 07/16/03 The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. Staff had recommended approval. The Planning Commission recommended approval on 06/12/03.
- 02/18/04 The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. Staff had recommended approval. The Planning Commission recommended approval on 01/08/04.
- 02/18/04 The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. Staff had recommended approval. The Planning Commission recommended approval on 01/08/04.
- 03/11/04 The Planning Commission approved a request for the Cliff's Edge Parent Tentative Map (TMP-3798). Staff had recommended approval.

B) Pre-Application Meeting

- 02/11/04 At the pre-application meeting, the applicant was advised that the PCD (Planned Community Development) General Plan designation of the Cliff's Edge area meant that overall residential density must remain below eight units per acre. As a result, the adjustments proposed by the applicant will raise the overall residential density from 7.89 u.p.a. to 7.93 u.p.a., still in conformance with the General Plan policy. A follow-up meeting was held on 02/20/04.

C) *Neighborhood Meetings*

No neighborhood meeting was required or conducted with respect to this Major Modification application.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 1,156 (Area covered by the Master Development Agreement)
Net Acres: 911 (Area covered by the parent Tentative Map)

B) *Existing Land Use*

Subject Property: Undeveloped and Single Family Dwellings
North: Undeveloped
South: Undeveloped, High School and Single Family Dwellings
East: Undeveloped and Single Family Dwellings
West: Undeveloped

C) *Planned Land Use*

Subject Property: PCD (Planned Community Development)
North: PCD (Planned Community Development)
South: PR (Park/Recreation/Open Space) - Clark County
PF (Public Facility) - Clark County
PCD (Planned Community Development) - Clark County and
DR (Desert Rural) - Clark County
East: PR (Park/Recreation/Open Space)
PCD (Planned Community Development) and
DR (Desert Rural) - Clark County
West: RC (Resource Conservation) - Clark County

D) *Existing Zoning*

Subject Property: U (Undeveloped) Zone [PCD (Planned Community Development)
General Plan Designation]
North: U (Undeveloped) Zone [PCD (Planned Community Development)
General Plan Designation]
South: R-U (Rural Open Land [0.5 units per acre] - Clark County)
East: U (Undeveloped) Zone [PCD (Planned Community Development)
General Plan Designation] under Resolution of Intent to PD (Planned
Development) and
R-E (Rural Estates Residential - Clark County)
West: P-F (Public Facility - Clark County)

E) General Plan Compliance

This site is located on the Centennial Hills Sector Plan Map of the General Plan. The Centennial Hills Sector Plan designates this site as PCD (Planned Community Development). The land use and text changes that are the subject of this requested Major Modification conform to applicable General Plan policies.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Cliff's Edge	X	
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

Special Area Plan

The provisions of the Centennial Hills Sector Plan require that a master plan be prepared for PCD (Planned Community Development) designated areas that exceed 80 acres in size. The applicant has previously prepared, and City Council has previously approved, a master development plan entitled the "Cliff's Edge Master Development Plan and Design Guidelines" on 03/19/03. The land use and text changes that are the subject of this Major Modification are changes that will conform to the land use policies of the General Plan; and clarify the intent of the Plan.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.050, the development standards within a PD District are established by the Master Development Plan. The development standards for the Cliff's Edge area are now established through the approved Cliff's Edge Master Development Plan. The proposed changes conform to the PD zoning district and will more clearly regulate the future development of the area.

B) General Analysis and Discussion

These changes represent fine-tuning of the Cliff's Edge Master Development Plan and Design Guidelines documents that were previously approved by City Council in March 2003 and amended in July and December 2003.

The proposed special land use changes contained in this Major Modification rebalance proposed land uses within the overall Plan, based on land assemblages and other factors. The land use changes as proposed, result in a net overall increase of 50 residential units within the Plan area based on a redistribution of allowed residential densities, with five acres added to the pump and reservoir site and the Village Commercial area reduced by half, from 30 acres to 15 acres. These changes are illustrated on a map (Figure 2) and tracked on a table (Table 1) within the Master Development Plan.

The proposed text change to Section 6.2.3 of the Design Guidelines will ensure that common areas contain usable areas of land uninterrupted by changes in grade through terracing. This is a positive change to the Design Guidelines that will clarify the intent of the use of common areas.

The Department of Public Works has noted that an update to the Master Sewer Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved sewer study prior to occupancy of any units within this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The General Plan designates the subject lands as PCD (Planned Community Development). The proposed land use modifications to the Cliff's Edge Master Development Plan conform to the General Plan and its policies. The proposed text change to the Design Guidelines is unrelated to General Plan policies.

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 Major Modification does not conflict with the PD (Planned Development) zoning that applies to lands within the Plan area. The proposed land use changes appear to be compatible with that of adjacent pods, and supports the overall land use intent of the Plan.

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

The land use changes as proposed reflect anticipated market conditions within the Plan area, and as such, are directly related to identified growth and development factors in the area.

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.”**

Planning of roadway facilities proposed for the area through the Plan has been scrutinized in relation to previous zoning actions that pertain to the Master Development Plan and were analyzed through the parent Tentative Map process; this network is unaffected by the limited scale of the land use changes proposed by this Major Modification.

NOTICES MAILED 135

APPROVALS 0

PROTESTS 0



126-13-401-014
126-13-701-002, 003, 004, 008
126-24-501-004 and

Name of Property Owner: Cliffs Edge LLC

Name of Applicant: Cliffs Edge, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

✓ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

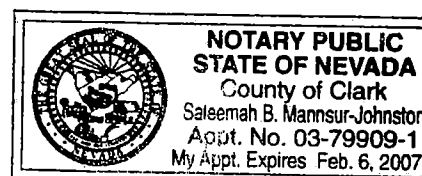
APN: _____

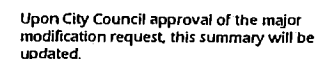
Signature of Property Owner/Authorized Agent: [Signature]

Subscribed and sworn before me

This 9th day of February, 2004

Shameka B. Munn
Notary Public in and for said County and State





MOD-3955
04-08-04 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO SDR-3979 AND SUP-3980 - PUBLIC HEARING - ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 3.88 acres adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002), Ward 6 (Mack).

C.C. 05/05/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

132

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at Planning – Petition submitted by Carol Healey with 115 signatures

MOTION:

GOYNES – DENIED – UNANIMOUS with NIGRO abstaining because Chrysalis Investments, LLC are his tenants

To be heard by the City Council on 5/5/2004

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 39 [ZON-3976], Item 40 [SUP-3980], and Item 41 [SDR-3979].

GARY LEOBOLD, Planning and Development Department, stated that the request will conform to the current General Plan Land Use designation that applies to this, as well as land to the east

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 39 – ZON-3976

MINUTES – Continued:

and the south of this property. Staff recommended approval of the rezoning request. The Special Use Permit, with the approval of the rezoning, would conform to Title 19 requirements. Regarding the site plan, the site consists of two one-story and two two-story mini warehouse buildings, an enclosed RV storage building, 14 covered RV spaces and an officer/manager apartment building. On an interim basis, the applicant is requesting that access be provided from Thom Boulevard. Upon the full street dedication on Rome Boulevard, access would switch over to Rome Boulevard with the emergency access at Thom Boulevard. The Site Plan meets the code requirements with the exception of requiring street trees on Rome Boulevard and a roof trash enclosure. As a result, staff recommended approval.

SCOTT BAKER, 7225 South Bermuda Road, appeared on behalf of the applicant and concurred with staff conditions. He pointed out that the one story building on the perimeter will help set back the two story building, which is 24 feet high.

TODD FARLOW, 240 North 19 Street, verified with CHAIRMAN TRUESDELL that the properties surrounding the parcel have been granted for a Resolution of Intent to C-1.

The following speakers adamantly opposed the application and a condensed recap of their comments are noted below: CAROL HEALEY, 6501 Mimosa Valley Street, President of the Homeowner's Association, Meister Park North; CHUCK WELLS, 5200 Hackberry Hill; BEVERLY JUNIOR, 6612 Sycamore View Street; TOM IRVING, 5204 Hackberry Hill; OZZIE HURT, 5208 Hackberry Hill; JIMMY NAVARRO, 6713 Hawthorne Creek Court; BONNIE MACK, 6720 Sycamore View Street; JO WILLFONG, 6516 Mimosa Valley Street; ED CONINGFORD, 5217 Primrose Flower Avenue; DORIANN MYERS, 5201 Primrose Flower Avenue; JESSIE TATE, 5213 Blue Evergreen Avenue; GREG DIGLES, 5508 Mesquite Meadow Court; VERNA LUTZ, 5208 Primrose Flower Avenue; ALBERT CLAPP, 6710 Pyracantha Glen Court; TREVOR LUTZ, 5208 Primrose Flower Avenue; SUNNIE GRIGSBY, 6493 Lantana Falls Court; DONALD JOHNSON; JANET BEAL, 5216 Elm Hill Court; SHIRNICE VILLANO, 5212 Elm Hill Court; SYDNIE-CHAM RANE, 5209 Primrose Flower Avenue; ALAN DIXON, 5216 Primrose Flower Avenue; JOHN FOREMAN, 6501 Gazania Street.

A protest petition was submitted with 115 signatures. This particular area is relatively new and the homes range in sizes from 2500 to 3305 square feet. Should this application be approved, some residents will be looking to sell their homes. Crimes are affiliated with self-storage units,

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 39 – ZON-3976

MINUTES – Continued:

such as women beaten in these units, theft, stored illegal contraband, stolen property, guns, bombs, drug paraphernalia and drugs that are cooked in these facilities. It could become a haven for transient, a dumping ground for abandoned personal belongings, and will create trash and debris. Thom Boulevard is a very narrow street and there are concerns about traffic congestion and driving hazards, especially if motor homes are stored in this facility. Many of the residents moved into this neighborhood believing it was zoned for residential and did not realize commercial use was also included. This is spot zoning within residential areas, and this might set a precedent for commercial uses in other areas on Thom Boulevard. The residents are concerned about the only access being off of Rome Boulevard, which would mean that truck traffic would be through the residential community. The residents would prefer having more residential estates or even a park rather than commercial. The homes have escalated in value, but a two-story storage unit will be detrimental to the value of their homes. The zoning is inappropriate for this area.

Many residents invested money to upgrade their backyards, and some of these backyards border Thom Boulevard making the mini storage visible from the backyards. The residents would like to maintain the integrity of their community as residential estates and would like the opportunity to establish it as an old community, such as the neighborhood on Oakey Boulevard and Rancho Drive. Some residents believed that a park would be built at this location.

One resident stated that there are no mini storages that resemble residences. This type of planning will force residents to move out of this area. The residents were led to believe that no commercial development was planned for this site. The existing residential lots range from 10,000 to 17,000 square feet. The detached homes are on a 50-foot average range, and the residents want to maintain the rural and peaceful environment. Many of the homes have beautiful views. Many residents made sacrifices to obtain the house of their dreams.

A resident was concerned about trying to get in and out with a motor home when the street is only 60 feet wide. This would add to the already existing traffic congestion at this location. Traffic will increase on Thom Boulevard as well.

Some of the residents suggested the applicant consider other vacant land for building a storage facility on US95 and Centennial Parkway or along the 215, where there is more commercial. Additionally, there are other storage facilities being built on Decatur Boulevards and existing

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 39 – ZON-3976

MINUTES – Continued:

units on Jones Boulevard. Most of the residents that spoke do not live in a gated community, and when they looked into that possibility, the cost to the Homeowner's Association was \$50,000 per gate. The cost at that time was prohibitive because there would have to be five gates. However, the residents might have to reconsider the idea of a gated community depending on the action taken tonight.

MR. LUTZ indicated that he has managed seven self-storage facilities and they become crime targets. The proposed mini storage facility will have a disastrous affect on the surrounding residential neighborhood.

CHAIRMAN TRUESDELL commented that the surrounding property to the east and the south of this site have been approved for C-1 zoning. DAVID CLAPSADDLE, Planning and Development Department, added that at one point this parcel was also zoned C-1, but the Resolution of Intent expired. MR. IRVING asked what would the other three properties labeled residential estates and then ROI-C-1 be. CHAIRMAN TRUESDELL replied that he should assume that they would be commercial.

MS. MACK asked if the property labeled R-E and ROI is residential and commercial or strictly commercial. MR. LEOBOLD replied that the land use is prescribed through the General Plan, which sets out SC (Service Commercial) as the land use for that entire quadrant to that corner. The zoning sets the parking requirements and setbacks. What is shown is that it is R-E, but it has a Resolution of Intent to C-1 with a period of time on it, that if the applicant does not act within that time limit, it reverts back to C-1, which is what happened on this parcel. The remainder of the site, the ROI continues to be active and with the assumption that it is commercial zoning. He further pointed out that across the street in North Las Vegas there is C-2 and they have commercial land that they have designated on the east side of Decatur Boulevard.

MS. LUTZ read some newspaper headlines on crimes affiliated with mini storage units. CHAIRMAN TRUESDELL remarked that these crimes did occur, but with regards to evaluating a zoning application, the Commission cannot assume that the developer would let these acts happen. The focus should be on the zoning application.

MR. BAKER stated that, although he cannot guarantee that these crimes would not happen, he indicated there will be 24-hour security cameras. The hours of operation are from 7:00 a.m. to 6:00 p.m., but they can be changed. A previous applicant let the commercial zoning timeframe

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 39 – ZON-3976

MINUTES – Continued:

expire and the current applicant is trying to reinstate the commercial zone. This particular project will not have people on the second floor looking into backyards. Thom Boulevard is 60 feet wide with a 10-foot wide minimum landscape strip. The first building will be 30 feet deep and another 35 feet to the two story building. He does not believe that the top of the proposed buildings would be seen from the residents' backyards.

MR. BAKER pointed out that a condition requires that access be provided on Rome Boulevard out to Decatur Boulevard. He worked with staff to provide the entrance on Thom Boulevard because of the access issue on Rome Boulevard. Once Rome Boulevard is developed, the access would then be on that portion of it and away from Thom Boulevard. He has represented similar projects that have worked as a buffer for residential. Due to this land's proximity to 215, he does not believe that this land would ever be used as residential.

He admitted to CHAIRMAN TRUESDELL that he did not meet with the residents, but he would be willing to meet with them. COMMISSIONER GOYNES pointed out that in 2001, the City Council approved the C-1 with a two-year time limit and after two years it reverted to R-E. He suggested that the applicant have a meeting with the residents. He indicated that staff recommended approval under Title 19.18.040 and found the use is compatible because of the other surrounding C-1 parcels. He cautioned the residents to be informed on what the allowable uses in the C-1 zoning. COMMISSIONER GOYNES was not pleased with the use and could not support the use of the mini storage.

COMMISSIONER McSWAIN was curious as to why the zoning was initially C-1, and asked if there were any other projects pending because they expire next year. MR. LEOBOLD responded that they have not had any applications for commercial development. The SC (Service Commercial) designation has been in place since 1996 when the Northwest Sector Plan was being developed. A direction from that was to concentrate the major commercial development into Town Center. This is one the few locations in the Centennial Hill sector that is outside of Town Center that is commercial. This was considered to be a good thing because it was clustered around the Beltway/Decatur interchange with anticipation that the land would probably be used for limited commercial, i.e. shopping center.

COMMISSIONER McSWAIN agreed that a storage unit can act as a buffer; however, having one at this site may not be appropriate due to the cluster problem, the elevations, and trying to keep the storage unit from looking as such and making it appear more residential from the outside. As a result, she would not support this application.

PLANNING COMMISSION MEETING OF APRIL 8, 2004
Planning and Development Department
Item 39 – ZON-3976

MINUTES – Continued:

COMMISSIONER STEINMAN commented that the residents should also get involved in finding out from the City what the zoning is for a particular parcel. Secondly, the residents should not judge the Commission by their body language, as one resident believed the Commission was indifferent with regards to their concerns. He believed that this particular use does not belong on this corner. It belongs on Decatur and 215, which are located, away from residential homes. The zoning is proper, but the usage is not appropriate and he would not support this application.

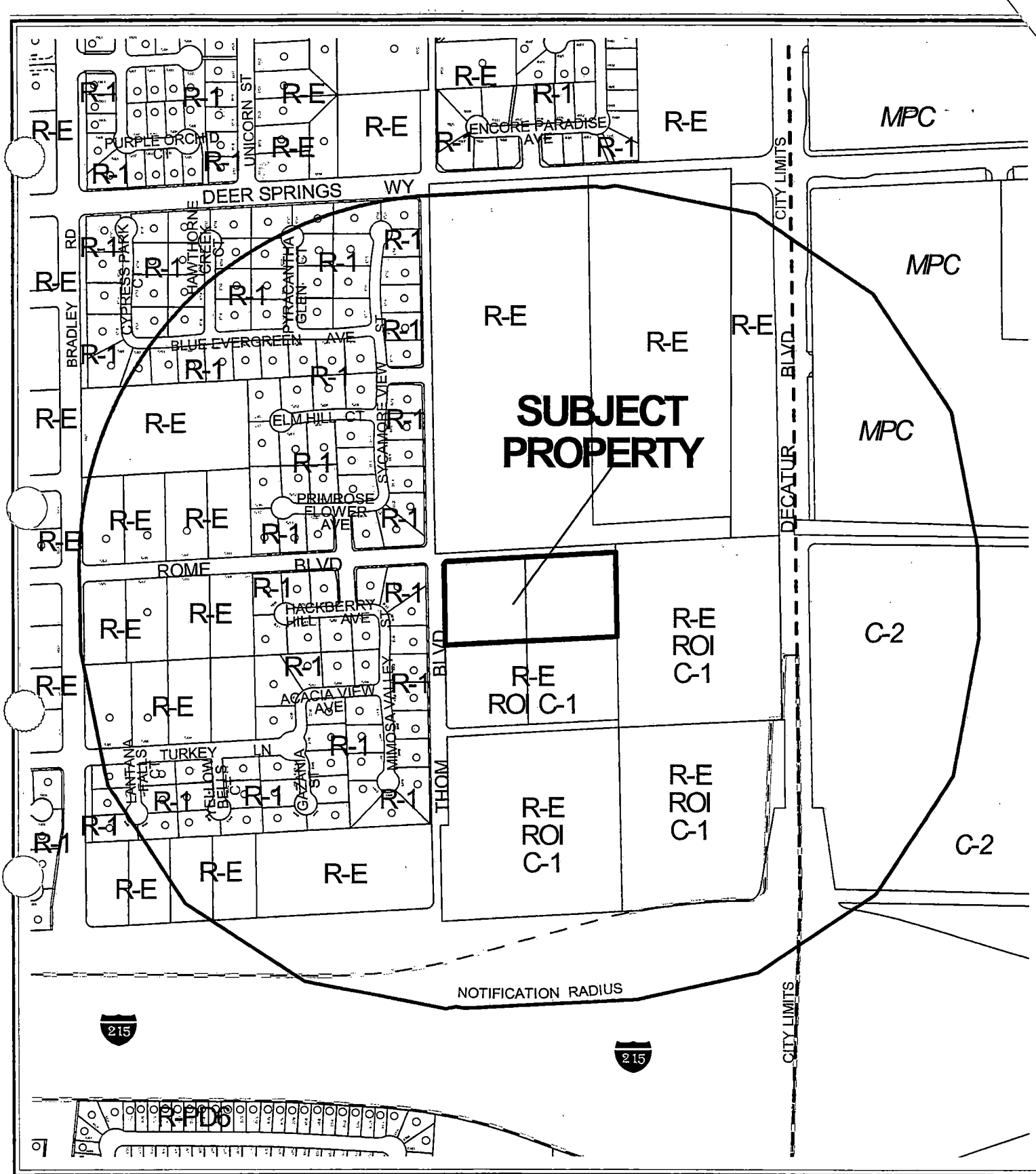
CHAIRMAN TRUESDELL concurred with COMMISSIONER STEINMAN. Staff made a recommendation based on the master plan. This has been on the map for many years and it is unfortunate that the real estate community does not make full disclosure as to what will be in the neighborhoods. He is concerned about the fact that the only access from this property is Thom Boulevard and Rome Boulevard. He assured the residents that no one on the Commission has made a predetermined decision prior to the meeting. He commended the residents on coming together to uphold their neighborhood. He credited the City Council for adhering to the Master Plan that indicates where commercial uses are appropriate. He supports C-1 zoning, but will not support the mini storage because the project did not deal with the architecture, access and the applicant did not meet with the residents. It is important for a developer to meet with the residents, especially in an area where there is tremendous growth.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 39 [ZON-3976], Item 40 [SUP-3980] and Item 41 [SDR-3979].

NOTE: All discussion for Item 39 [ZON-3976], Item 40 [SUP-3980], and Item 41 [SDR-3979] was held under Item 39 [ZON-3976].

(8:47 – 10:03)

2-3179



CASE: ZON-3976

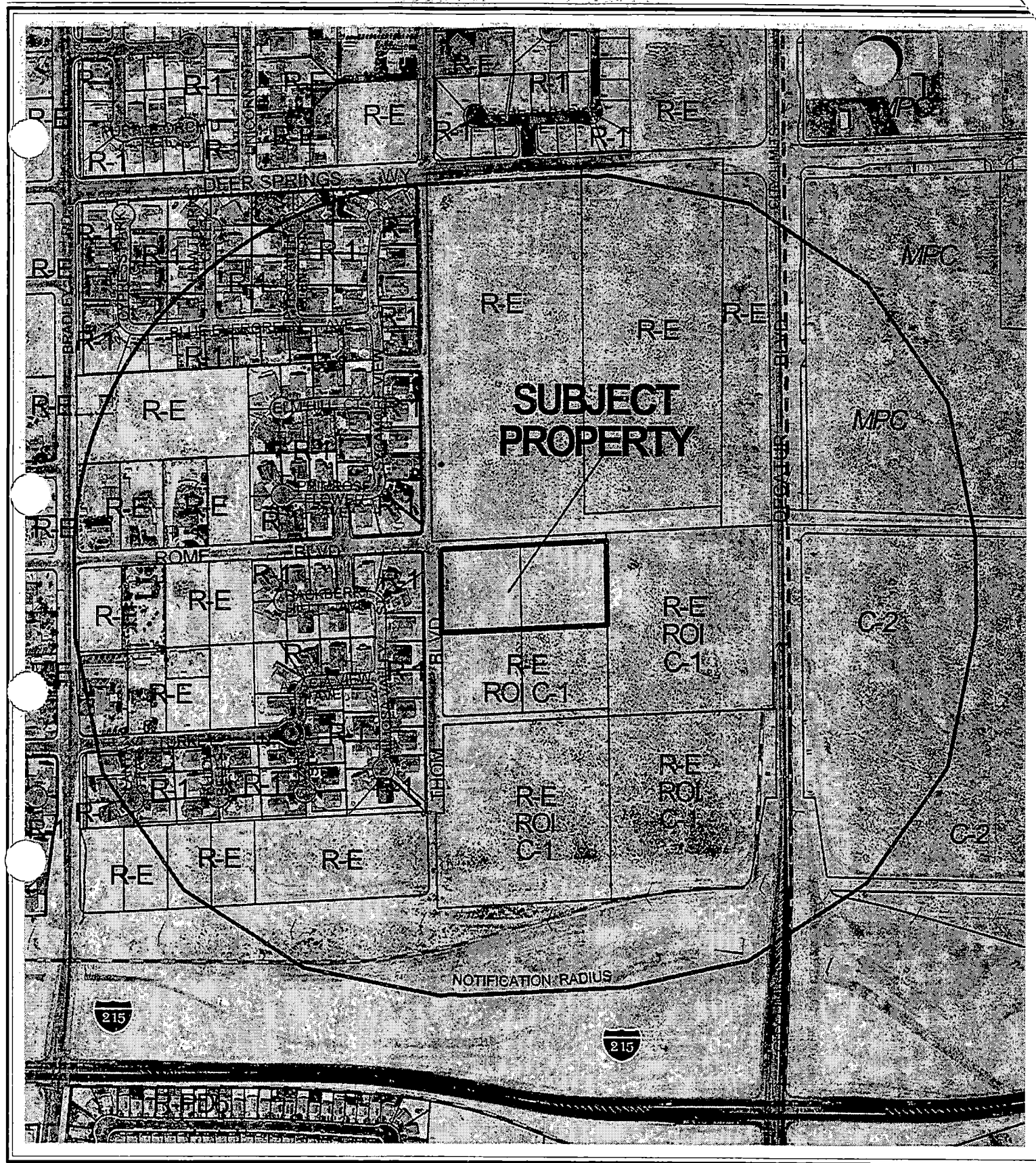
RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 300 600 Feet





CASE: **ZON-3976**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: REZONING RELATED TO SDR-3979 AND SUP-3980 -
PUBLIC HEARING - ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS,
LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-3979) and Special Use Permit (SUP-3980) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such map is required, it should record prior to the issuance of any permits for this site. If a map is not required, provide a copy of a recorded joint access agreement comprising the overall site prior to the issuance of any permits.
4. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the submittal requirements for Bureau of Land Management (BLM) applications for Rome Boulevard adjacent to this site extending to Decatur Boulevard and provide all required documentation and material. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to the approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
5. Construct half-street improvements on Thom Boulevard adjacent to this site and construct half street improvements including appropriate overpaving on Rome Boulevard adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width.

ZON-3976 - Conditions Page Two
April 8, 2004 Planning Commission Meeting

6. Construct two lanes of paved, legal access from Decatur Boulevard to this site concurrent with development of this site.
7. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Rezoning from R-E (Residence Estates) to C-1 (Limited Commercial) on 3.88 acres located adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. A companion Special Use Permit (SUP-3980) and a Site Development Plan Review (SDR-3979) will be considered concurrently with this application.

B) Applicant's Justification

The unique design and color scheme blends the proposed Mini-Warehouse Facility in with the adjacent residential and commercial structures. In addition, the applicant agrees to abide by all the requirements and guidelines set by the City of Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a Rezoning (Z-0107-00) from R-E (Residence Estates) to C-1 (Limited Commercial) for the subject site. The Planning Commission and staff recommended approval on 12/07/00.

04/08/04 The Planning Commission will consider a related Special Use Permit (SUP-3980) to allow a Mini-Warehouse Facility on the subject site.

04/08/04 The Planning Commission will consider a related Site Development Plan Review (SDR-3979) for a Mini-Warehouse Facility on the subject site.

B) Pre-Application Meeting

02/11/04 No significant issues related to the rezoning request were identified during the pre-application meeting.

C) Neighborhood Meetings

A neighborhood meeting is not required for Rezoning applications.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.88

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Single Family Residence

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: PF (Public Facilities)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed mini-warehouse facility is a permitted use with the approval of a Special Use Permit.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject site is not located within any Special Districts or Zones.

A) General Analysis and Discussion

The proposed C-1 zoning district is consistent with the site's SC (Service Commercial) General Plan designation. The subject site had been previously rezoned from RE (Residence Estates) to C-1 (Limited Commercial), but the Resolution of Intent expired in 2003. The parcels to the east and south are also under Resolution of Intent to C-1 (Limited Commercial) until July of 2005.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The proposed C-1 (Limited Commercial) zoning district is consistent with the site's SC (Service Commercial) 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 proposed zoning is compatible with the commercially zoned parcels to the south and east of the subject site. In addition, the uses that would be allowed on the property by approving the rezoning will have a minimal impact on the residential development to the west, and the undeveloped residentially zoned parcel to the north.

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

The proximity of the subject site to the interchange of the I-15 Beltway and Decatur Boulevard, as well as the parcel's SC (Service Commercial) future land use designation are indicators of the appropriateness of the rezoning request.

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."

Access to this site is provided via a drive from Thom Boulevard, a 60-foot wide collector street. The proposed development of the site will be sufficiently served by the existing roadway facilities. No access is proposed from Rome Boulevard.

ZON-3976 - Staff Report Page Four
April 8, 2004 Planning Commission Meeting

NOTICES MAILED 126 (Mailed with SUP-3980 and SDR-3979)

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: 20N-39746 APN: 125-24-802-001 + 125-24-802-002

Name of Property Owner: JANET McNABB, SCME, LLC

Name of Applicant: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [Signature]

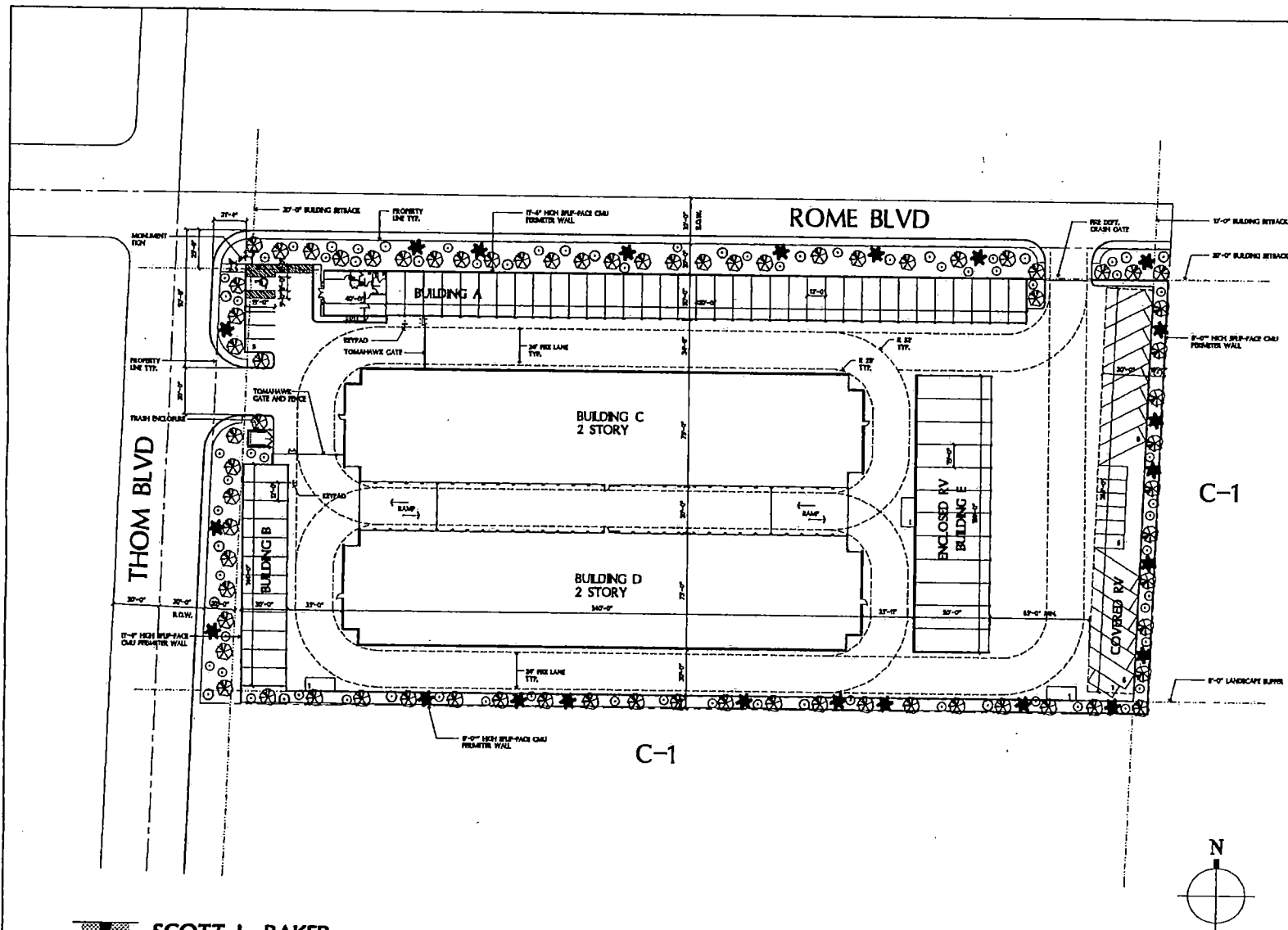
Print Name: JANET McNABB

Subscribed and sworn before me

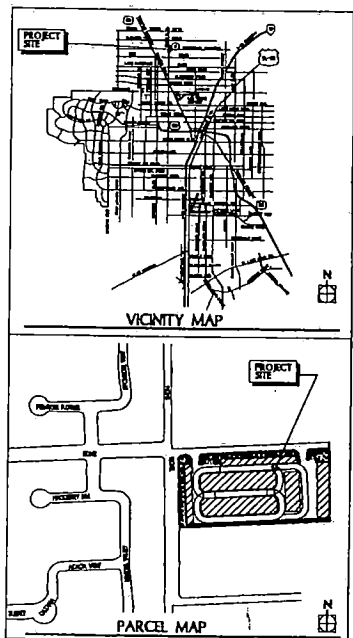
This 20 day of February, 2004

[Signature]
Notary Public in and for said County and State

MATTHEW D. MANNING
Notary Public, State of Nevada
Appointment No. 02-52158-1
My Appt. Expires Jan. 7, 2006



SITE DATA		
SITE AREA		169,189 S.F. 3.88 ACRES
BUILDING A		13,897 S.F.
OFFICE	1,200 S.F.	
APARTMENT	1,200 S.F.	
BUILDING B		4,320 S.F.
BUILDING C		
1st FLOOR	25,100 S.F.	
2nd FLOOR	25,100 S.F.	
BUILDING D		
1st FLOOR	25,100 S.F.	
2nd FLOOR	25,100 S.F.	
BUILDING E		9,000 S.F.
TOTAL BUILDING S.F.		127,617 S.F.
PARKING REQUIRED	15 SPACES	
PARKING PROVIDED	15 SPACES	
COVERED RV PARKING	14 SPACES	
BUILDING FOOTPRINT S.F.	76,217 S.F.	
SITE COVERAGE	45.1%	



SCOTT L. BAKER,
ARCHITECT, INC.

ALIANTE MINI STORAGE SITE PLAN

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

SCALE = 1" = 30'-0"
PROJECT NO: 04-108 2.23.04.
SITE PLAN

Owner and architect warrant the accuracy of the data provided. This is a preliminary site plan and is not to be used for construction. The owner and architect warrant the accuracy of the data provided. This is a preliminary site plan and is not to be used for construction.



ZON-3976 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER:
SCME, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHEAST CORNER OF THOM BOULEVARD AND ROME BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101
Via Facsimile 702-474-7463

April 5, 2004

Re: April 8, 2004 Planning Commission Meeting -- Items ZON-3976, SDR-3979 and
SUP- 3980 -- OBJECTIONS

Dear Planning Commission,

It is my understanding that Chrysalis Investments and affiliated companies have filed a request for rezoning (ZON-3976) from R-E to C-1 legally described as the Southeast Quarter of the Southeast Quarter of Section 24, Township 19 South, Range 60 East, MDM. In addition, Chrysalis has requested a site development plan review (SDR-3979) and a special use permit (SUP-3980) in connection with this site. It is my understanding that Chrysalis and affiliated companies are requesting this hearing in hopes of garnering approval for a commercial self-storage facility.

Please note I vehemently oppose this project! This area is a newer residential development area with many of the homes in the area (including mine) to be under two years of age. I bought in this neighborhood knowing that I was surrounded by R-1 and R-E zoning. The request to change this zoning, for which I placed a high value upon when I purchased my home, should be denied. There are simply better locations that should be deemed more appropriate for this type of business. This location is wrong for the proposed purpose.

It is my heartfelt belief that a mini-warehouse in my neighborhood would irreparably damage my new home's property value. Commercial mini-warehouse facilities often become increased targets for theft and criminal activity; often are used to store illegal contraband; create trash and debris; increase traffic on all surrounding streets and cause other problems that make them undesirable in a residential neighborhood.

Please do not fold to the interest of business in this case. This location is wrong for this business and the applicants request should be denied.

Respectfully Submitted,



Clair F. Rogers
5201 Blue Evergreen Ave
Las Vegas, NV 89131
Phone 702-241-7405

ZON-3976
SUP-3980
SDR-3979

P

**Petition To
City Planning Commission
Las Vegas, NV**

Regarding: Rezoning Notice ZON-3976
Special Use Permit SUP-3980
Site Development Plan Review SDR-3979

I am a resident of the area immediately adjacent to the proposed re-zoning and proposed development, and I am **OPPOSED** to the re-zoning and any approval of the associated Special Use Permit and the Site Development Plan Review to allow development of a mini-warehouse or other Limited Commercial use at the southeast corner of Thom Boulevard and Rome Boulevard or other immediately adjacent areas currently zoned as residential.

Name	Address	Telephone
Donna M. Kozai	6484 Yellow Balls Ct. Las Vegas, NV 89131	839-5118

Submitted at Planning Commission

Date 4/8/04 Item 39-41

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Donnam Myers	5201 Primrose Flower	896-7374
Heldi Lemke	5600 Mesquite Meadow Ct	641-2911
Angie Faria	5205 Primrose Flower Ave.	707- 775-3433
Lois Brown	6508 Mimosa Valley St	395-3656
Carol Lee	6501 Mimosa Valley	658-2046
Carol Junt	6497 Mimosa Valley St.	645-2748
Idella Johnson	6504 Mimosa Valley St	395-4325
Judy Digles	5508 Mesquite Meadow	648-1287
Judy Lese	6710 Cypress Park St.	562-4348
Pat Robinson	6496 GAZANIA ST	656-2052
Dorisanne Kamimoto	6718 Cypress Park Ct	431-3808

**Petition To
City Planning Commission
Las Vegas, NV**

658-7046

Cookie Healey

Regarding: Rezoning Notice ZON-3976
Special Use Permit SUP-3980
Site Development Plan Review SDR-3979

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Name	Address	Telephone
RAY & ELENA SALAS	6488 MIMOSA VALLEY ST. LAS VEGAS NV. 89131	645-8365
<i>[Signature]</i>	6500 GAZANIA ST LAS VEGAS NV 89131	658-6502
<i>[Signature]</i> Bob	6516 Mimosa Valley St. Las Vegas, NV 89131	702 645-6802
Janet Toester	5205 Hackberry Hill AV Las Vegas, NV 89131	645-9760
Gay Stein	5217 PRIMROSE FLOWER AVE LV NV 89131	395-5559
TRAVOR & Verna Lutz	5208 PRIMROSE FLOWER LV NV 89131	645-5025
Alan & Patricia Dillon	5216 Primrose Flower LV NV 89131	243-6692
Dell E. & SHIRLEY BEDARD Shirley Bedard	6604 Sycamore View LV NV 89131	369-9875
Bill & Judy Wike	6512 mimosa valley st LV NV 89131	
Donna & Keith Thornton	5201 Elm Hill Ct Las Vegas, NV 89131	655-5413
Katherine & William Hutchins	5209 Elm Hill Ct Las Vegas NV 89131	515-0752

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Donna Desgard	6497 GAZANIA ST	655-0370
Hugh & Robin	6496 GAZANIA ST	656-2058
Barbara Belch	5212 ACACIA AVE	656-4232
Joe Mow	5208 ACACIA	433-5131
FRED COBENTZ	5204 ACACIA VIEW	655-3962
Elaine & Harold Cleer	6609 SYCAMORE VIEW ST	395-5508
Keith & Beverly Junior	6612 SYCAMORE VIEW ST.	839-9838
Judy & Tim Legel	6710 CYPRESS PARK CT	562-6388
ED Goringford	5217 PRIMROSE FLOWER AVE	395-5559
A/AM DIXON	5216 PRIMROSE FLOWER	243-6692
Bobby Belch	5212 W ACACIA VIEW	656-4232

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Sh. Q. Bl	6718 Hawthorne Creek Ct	515-0758
Don Noway	6705 Hawthorne Creek Ct.	215-4031
Francis J. Gill	5309 Blue Evergreen Ave	655-6114
David Patajny	5313 BLUE EVERGREEN AV	658-7438
Heather J. Molinari	5313 BLUE EVERGREEN AVE	224-627-8614
ERIL BENO	6709 PYRACANTHA GLEN CT	839 9768
CONNIE DAVIS	6713 PYRACANTHA GLEN CT	450-9192
DON BATH	6700 Sycamore View	658-9752
Mona Bath	6700 Sycamore View	658-9752
Han Davis	6713 PYRACANTHA GLEN CT	450-9192
Judith HORNER	6708 SYCAMORE VIEW ST	395-2526

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Charles Henry	6713 Cypress Park Ct.	395-0286
Geraldine Henry	6713 Cypress Park Ct.	395-0286
Jane J. B.	5213 Blue Evergreen	655-1211
SA Simon	6706 PYRACANTHA GLEN CT	743-0729
Sharon Simon	6706 Pyracantha Glen Ct	743-0729
Nancy S. Ventura	6705 Pyracantha Glen Ct	363-1635
R. J. V.	6705 PYRACANTHA GLEN CT	363-1635
	6705 Cypress Park Ct.	515-0738
Wm. J. Johnson	5301 Blue Evergreen AVE	396-1974
Marie L. Nicholson	5301 BLUE EVERGREEN AVE	396-1974
Bonnie Bloss	6718 HAWTHORNE Creek	515-0758

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
DORIS FOREMAN	6501 GAZANIA ST	839-3670
Michael Boone	5501 MESQUITE MEADOW CT	429-4551
GARY DICKES	5508 Mesquite Meadow CT	648-1287
NORMAN G. HICKS	5505 Mesquite Meadow CT	396-1829
DENNIS F. JOHNSON	5504 MESQUITE MEADOW CT.	655-4028
DAVID LEMKE	5600 MESQUITE MEADOW CT	641-2911
Regina Florene	5608 Mesquite Meadows	656-3605
Beverly Chavella	5616 Mesquite Meadow	645-6952
Joan Day	5617 Mesquite Meadow	368-2249
Roger Foulb	5509 MESQUITE MEADOW	656-0928
	5500 mesquite meadow	395-6855

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Russ Messenger	5505 Verbena Creek Ct	228-4643
JANICE CARR	5509 VERBENA CREEK CT	394-4587
Rosario A. Sotelo	5500 Verbena Creek Pk.	839-1115
MIAMI	5501 Verbena Creek	656-8346
* Rick Pummer	5404 Verbena Creek Ct.	515-1988
SOUKY CHANTHAVONG	5400 Verbena Creek	655-7331
Mr. Mc	5401 Verbena Creek Ct	396-5417
[Signature]	6493 Yellow Bells Ct	338-5673
Chris Hamlin	6485 YELLOW BELLS	396-8798
R. S. Sodd	6484 Bezzuiz	645-7242
[Signature]	6493 Gazania	646-7190

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
DONALD JOHNSON	6504 MIMOSA VALLEY ST	395 6504
Jo Robinson	6496 MIMOSA VALLEY ST	631-7128
RAYMOND SALAS	6488 MIMOSA VALLEY ST.	645-8365
Joseph Blazon	6528 MIMOSA VALLEY S	395-3656
T. E. Manning	5204 HACKBERRY HILL	304-2364
Diane Hurt	5208 Hackberry Hill	459-3017
Tamie Wilson	5217 Hackberry Hill	604-5055
Shawn Sachs	5216 Acacia View Ave	233-2398
Amie Baker	6485 GRANIA ST	645-8273
Mr. L	6497 MIMOSA VALLEY ST	745-2748
Mr. Healy	6501 MIMOSA VALLEY ST	658-7046

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Mona Di-ivell	6608 SYCAMORE VIEW ST	396-2493
LULA SURDIVANT	6605 SYCAMORE VIEW ST	455-1117
Douglas Kozan	6484 YELLOW BELLS CT	839-5718
Jim Morgan	5217 HACKBERRY HILL	839-0666
Joe McLeithen	5401 Mesquite Meadow CT	937-0332
Bryan Elliott DE	6711 Sycamore View St	645-0659
ANN ELLIOTT	6711 SYCAMORE VIEW ST.	645-0659
Charly Wells	5200 Hackberry Hill	707-291-6829
STANLEY RANE	5209 PRIMROSE FLOWER AVE	656 2322
Leis E. Wells	5200 Hackberry Hill	707-291-0716
Aydrie Chau-Rane	5209 Primrose Flower Ave	656-2322

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Jo Ann Haug	6707 Sycamore View St. LV NV, 89131	395-9997
Ariana Hites	6712 Sycamore View	636-2245
CHAD HITES	6712 SYCAMORE VIEW	636-2245
Gaulette Morris	5208 Elm Hill Ct	839-9194
KEN MORRIS	5208 ELM HILL CT.	839-9194
Shirnice Villano	5212 Elm Hill Ct. LV, NV 89131	645-0502

**Petition To
City Planning Commission
Las Vegas, NV**

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Name	Address	Telephone
Kim Johnson	6489 Gazania	395-7245
John Foreman	6501 GAZANIA	839-3670
Janet Beal	52116 Elm Hill Ct	259-5575
JOSE Sanchez	6489 LANTANA FALLS CT	804-7930
MICHELLE WESLEY	6489 LANTANA FALLS CT	804-7930
Jimmy Hawn	6713 Hawthorne Creek Ct	740-4413

**Petition To
City Planning Commission
Las Vegas, NV**

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[illegible]

**Petition To
City Planning Commission
Las Vegas, NV**

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[illegible]

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 8, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-3976 AND SDR-3979 - PUBLIC HEARING - SUP-3980 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED MINI-WAREHOUSE FACILITY adjacent to the southeast corner of Thom Boulevard and Rome Boulevard (APN: 125-24-802-001 & 002) R-E (Residence Estates) Zone, [Proposed: C-1 (Limited Commercial) Zone], Ward 6 (Mack).

C.C.: 05/05/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

132

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – DENIED – UNANIMOUS with NIGRO abstaining because Chrysalis Investments, LLC are his tenants

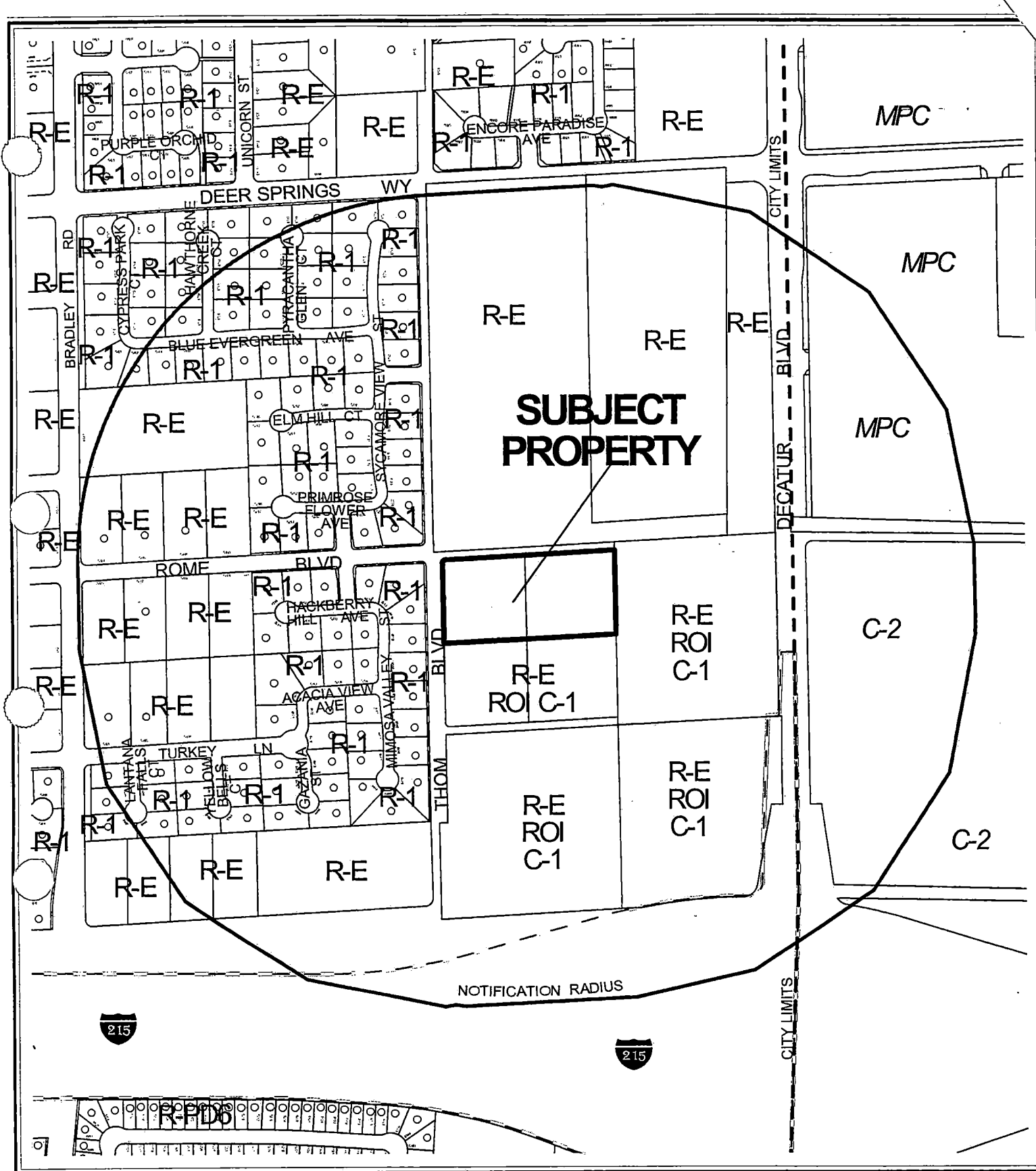
To be heard by the City Council on 5/5/2004

MINUTES:

NOTE: See Item 39 [ZON-3976] for all related discussion.

(8:47 – 10:03)

2-3179



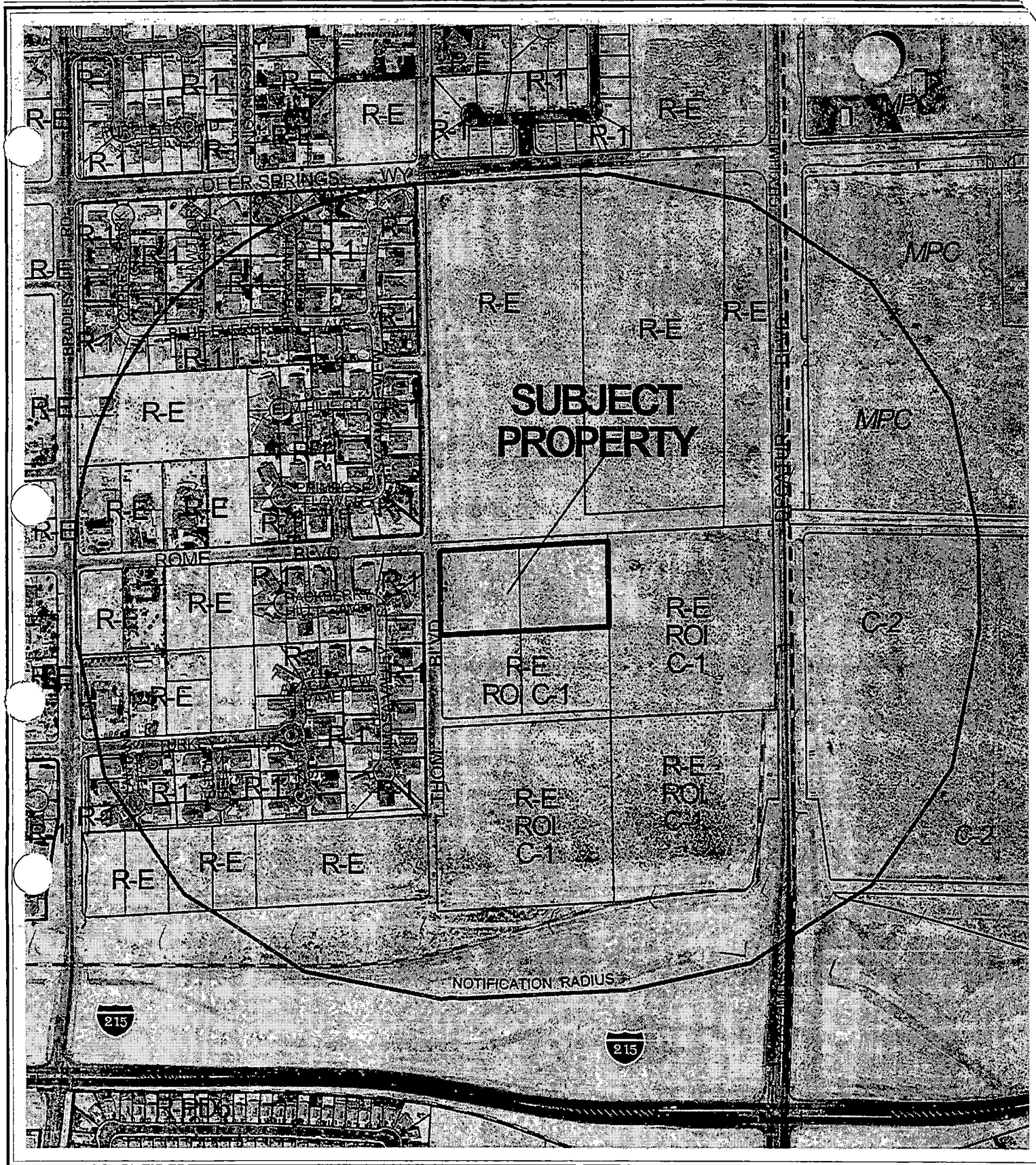
CASE: SUP-3980

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





CASE: **SUP-3980**

RADIUS: 1320 FT

ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 8, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-3980 - APPLICANT: CHRYSALIS INVESTMENTS,
LIMITED LIABILITY COMPANY - OWNER: SCME, LIMITED LIABILITY COMPANY**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, Subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Mini-Warehouse Facility use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3976) and Site Development Plan Review (SDR-3979).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The request is for a Special Use Permit for a Mini-Warehouse Facility on 3.88 acres located adjacent to the southeast corner of Thom Boulevard and Rome Boulevard. A companion Rezoning (ZON-3976) and Site Development Plan Review application (SDR-3979) will be considered concurrently with this application.

B) Applicant's Justification

The unique design and color scheme blends the proposed mini storage in with the adjacent residential and commercial structures. In addition, the applicant agrees to abide by all the requirements and guidelines set by the City of Las Vegas.

BACKGROUND INFORMATION

A) Previous Actions

01/17/01 The City Council approved a Rezoning (Z-0107-00) from R-E (Residence Estates) to C-1 (Limited Commercial) for the subject site. The Planning Commission and staff recommended approval on 12/07/00.

04/08/04 The Planning Commission will consider a related Rezoning (ZON-3976) request from R-E (Residence Estates) to C-1 (Limited Commercial).

04/08/04 The Planning Commission will consider a related Site Development Plan Review (SDR-3979) for a mini-warehouse facility on the subject site.

B) Pre-Application Meeting

02/11/04 No significant issues related to the Special Use Permit request were identified during the pre-application meeting.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Special Use Permit application.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.88

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Single Family Residence

C) Planned Land Use

Subject Property: SC (Service Commercial)
North: PF (Public Facilities)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: ML (Medium Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East: R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West: R-1 (Single Family Residential)

E) General Plan Compliance

The subject site is designated SC (Service Commercial) on the Centennial Hills Sector Map of the General Plan. The proposed C-1 (Limited Commercial) zoning district is consistent with the General Plan designation, and the proposed mini-warehouse facility is a permitted use with the approval of a Special Use Permit.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Study Area		X
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject site is not located within any Special Districts or Zones.

ANALYSIS

A) *Zoning Code Compliance*

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Mini-warehouse	127,617 SF.	1 per 50 Units + 5 spaces outside the security gate	12	1	12	1
Manager's Apartment (2-bedroom)	1,200 SF	1 ¾ spaces per unit	2	0	2	0

The project meets Title 19 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Mini-Warehouse Facility use, and there are no similar approved uses within the 750-foot notification distance.

Pursuant to Title 19.08, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Roofed & Enclosed	Enclosed

While the site plan indicates a screened trash enclosure, it does not depict it as being roofed. A condition of approval has been included with the Site Development Plan Review (SDR-3979) to ensure compliance with this requirement.

B) General Analysis and Discussion

- Zoning

The C-1 District is intended to provide most retail shopping and personal services. This 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 C-1 District is consistent with the Service category of the General Plan.

- Use

A Mini-Warehouse Facility is defined by Title 19 as a facility with enclosed storage space, divided into separate compartments no larger than five hundred square feet in size, which is provided for use by individuals to store personal items or by businesses to store materials for operation of a business establishment.

- Conditions

1. No more than one manager's security residence shall be permitted.
2. All storage shall be within an enclosed building except for the storage of recreational vehicles, which shall be completely screened from view from surrounding properties and abutting streets.
3. No business shall be conducted from or within a mini-storage facility.
4. Retail sale of stored items on the premises is prohibited.
5. The commercial repair of motor vehicles, boats, trailers and other like vehicles shall be prohibited.
6. The operation of spray-painting equipment, power tools, welding equipment or other similar equipment shall be prohibited.
7. The production, fabrication or assembly of products shall be prohibited.
8. The rental of single unit trucks and small utility trailers shall be permitted as an accessory use to a mini-storage use, provided the business is conducted out of the same office as that of the mini-storage facility. No trucks or trailers shall be displayed in public view and the combined total of all trucks and trailers stored on site shall not exceed a ratio of two trucks or trailers for each one hundred storage units. On-site parking shall be provided for each rental vehicle in excess of the number required for the mini-storage complex.

9. Truck and trailer storage shall be screened from the street and adjacent property.
10. When adjacent to a residential use, the exterior wall of the mini-warehouse shall be constructed of decorative block.

The proposal meets these base conditions of Title 19. There are no waivers associated with this application.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

The proposed Mini-Warehouse Facility conforms to the standards and intent of the SC (Service Commercial) General Plan designation and the proposed C-1 (Limited Commercial) zoning district. The subject use is harmonious and compatible with surrounding properties in the area.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

Physically, the subject site is appropriate for the proposed Mini-Warehouse Facility use, and no waivers of development standards have been requested as a part of this application.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

Access to the site is via a drive from Thom Boulevard, a 60-foot collector street. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

The proposed Mini-Warehouse Facility use will be subject to regular City and County inspections and will therefore not compromise the public health, safety, and welfare.

SUP-3980 - Staff Report Page Six
April 8, 2004 Planning Commission Meeting

NOTICES MAILED 126 (Mailed with ZON-3976 and SDR-3979)

APPROVALS 0

PROTESTS 1

FEB-20-2004 FRI 01:52 PM GP LAW FIRM

2702 385 3939

P.006

Feb 20 04 10:25a

Scott L. Baker Architect

702 837 5960

P.6



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-3988 APN: 125-24-802-001 + 125-24-802-002Name of Property Owner: JANET McNABB - SCME, LLC

Name of Applicant: _____

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

_____ Yes

_____ X No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

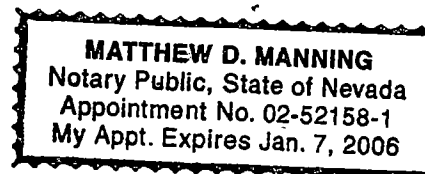
APN: _____

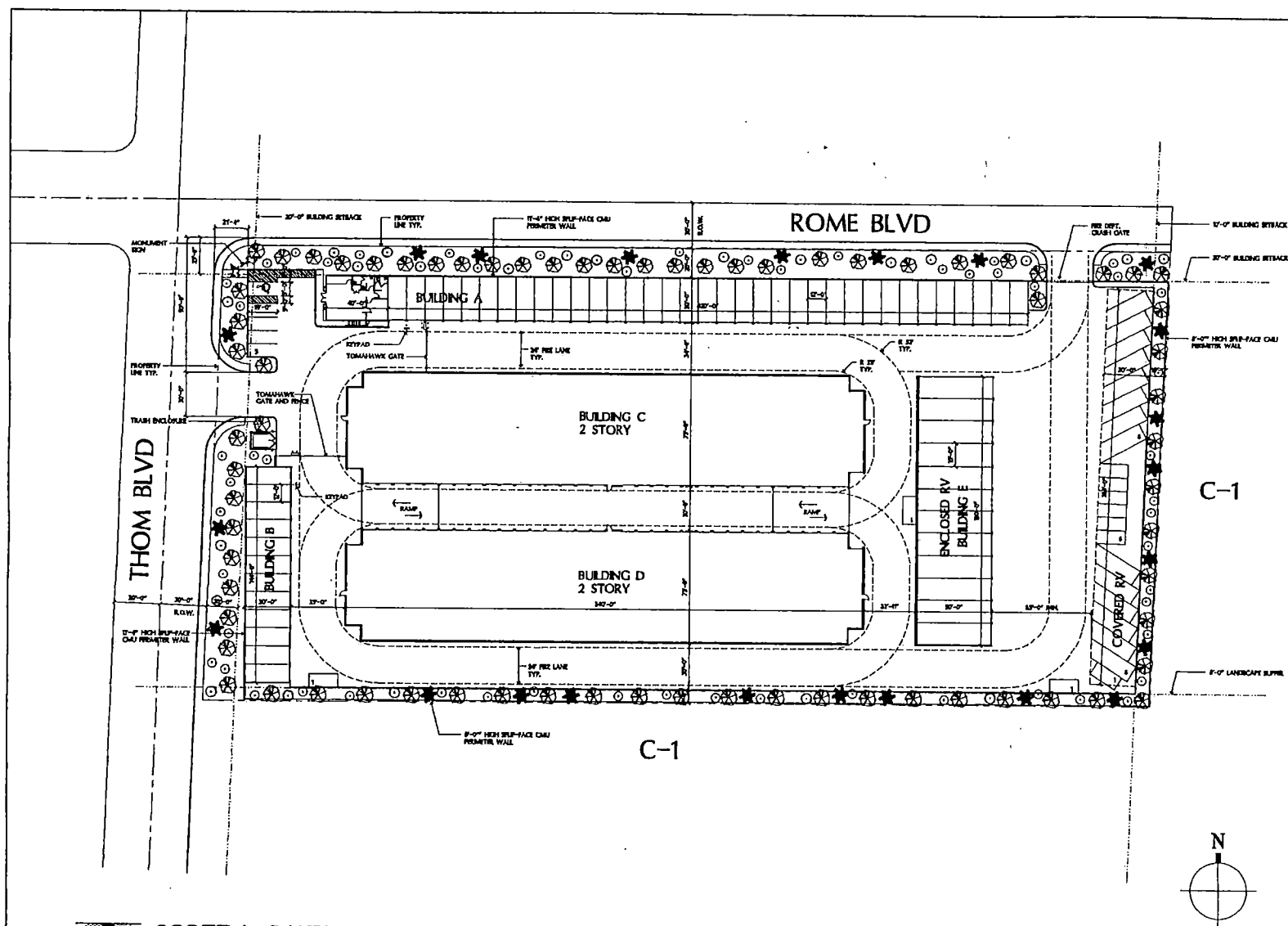
Signature of Property Owner/Authorized Agent: [Signature]Print Name: JANET McNABB

Subscribed and sworn before me

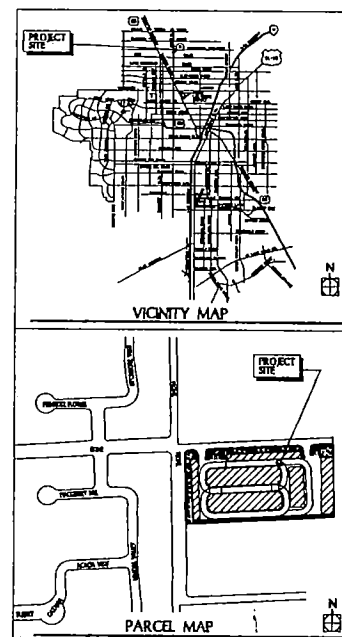
This 20 day of February, 2004

Notary Public in and for said County and State





SITE DATA		
SITE AREA	169,189 S.F.	3.88 ACRES
BUILDING A	13,897 S.F.	
OFFICE	1,200 S.F.	
APARTMENT	1,200 S.F.	
BUILDING B	4,320 S.F.	
BUILDING C		
1st FLOOR	25,100 S.F.	
2nd FLOOR	25,100 S.F.	
BUILDING D		
1st FLOOR	25,100 S.F.	
2nd FLOOR	25,100 S.F.	
BUILDING E	9,000 S.F.	
TOTAL BUILDING S.F.	127,617 S.F.	
PARKING REQUIRED	15 SPACES	
PARKING PROVIDED	15 SPACES	
COVERED RV PARKING	14 SPACES	
BUILDING FOOTPRINT S.F.	76,217 S.F.	
SITE COVERAGE	45.1%	



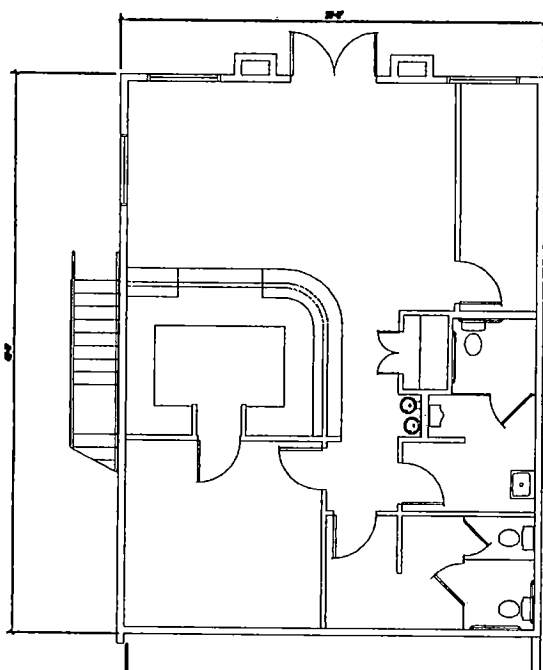
SCOTT L. BAKER,
ARCHITECT, INC.

ALIANTE MINI STORAGE SITE PLAN

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC

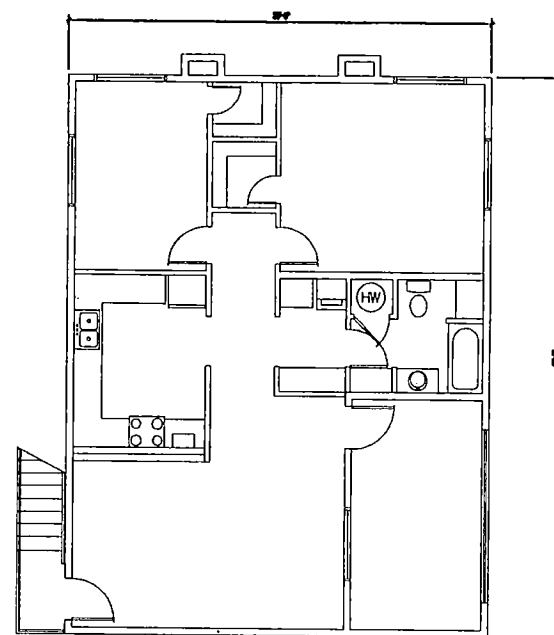
SCALE = 1" = 30'-0"
PROJECT NO. 04-108 2.21.04
SITE PLAN

NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.



LEVEL ONE PLAN AT OFFICE

OCCUPANT LOAD	TOTAL	EXITS REQUIRED	EXITS
OFFICE	1500 sf (1 = 100) = 15	1 EXIT	1 EXIT
APARTMENT	1500 sf (1 = 100) = 15	1 EXIT	1 EXIT
1ST FLOOR STORAGE BLD 10"	1500 sf (1 = 100) = 15	1 EXIT	1 EXIT
2ND FLOOR STORAGE BLD 10"	1500 sf (1 = 100) = 15	1 EXIT	1 EXIT
3RD FLOOR STORAGE BLD 10"	1500 sf (1 = 100) = 15	1 EXIT	1 EXIT
4TH FLOOR STORAGE BLD 10"	1500 sf (1 = 100) = 15	1 EXIT	1 EXIT
5TH FLOOR STORAGE BLD 10"	1500 sf (1 = 100) = 15	1 EXIT	1 EXIT
Total Building Storage	15000 sf	15 EXITS	15 EXITS



LEVEL TWO PLAN AT APARTMENT

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC



SCOTT L. BAKER,
ARCHITECT, INC.

ALIANTE MINI STORAGE

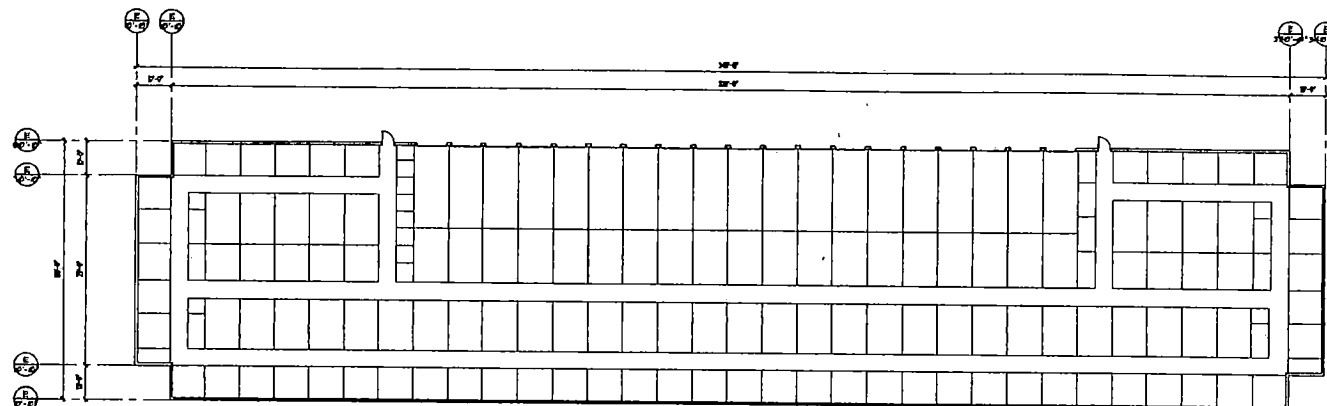
ENLARGED PLANS AT OFFICE/APARTMENT

SCALE = 1/4" = 1'-0" PROJECT NO. 04-108 2 21 04.

0' 2' 4' 8' 16'

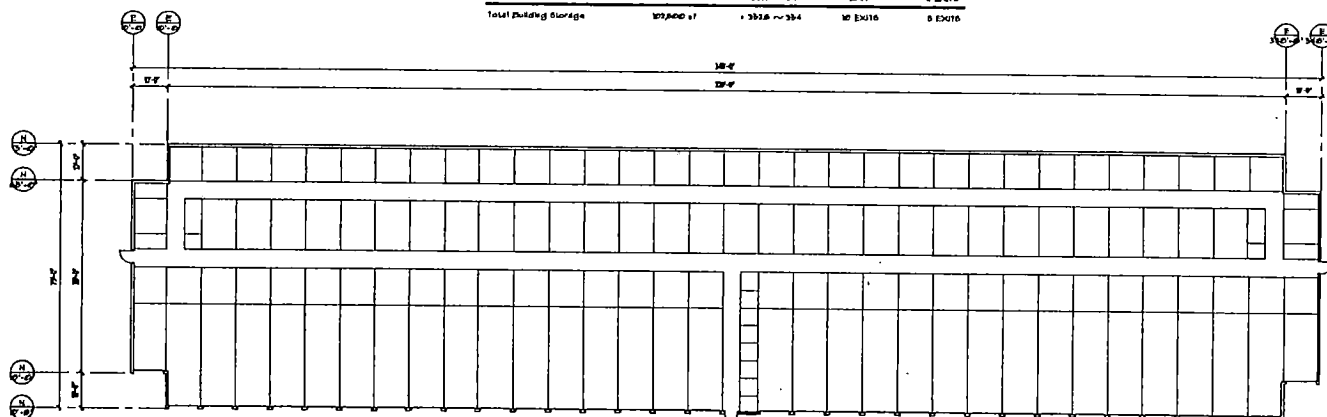
BUILDING A
FLOOR PLANS

These plans are prepared for the use of the client and are not to be used for any other purpose. The client is responsible for the accuracy of the information provided and for the results of the construction. The architect is not responsible for the results of the construction.



BUILDING C SECOND FLOOR

OCCUPANT LOAD	TOTAL OCCUPANT LOAD (PER TABLE 503.2.2.1)	EXITS REQUIRED	EXITS PROVIDED
OFFICE	1,000 sf (1 x 100) = 10	1 EXIT	1 EXIT
APARTMENT	1,000 sf (1 x 100) = 10	1 EXIT	1 EXIT
1ST FLOOR STORAGE BLD "C"	10,000 sf (1 x 100) = 100	1 EXIT	1 EXIT
2ND FLOOR STORAGE BLD "C"	10,000 sf (1 x 100) = 100	1 EXIT	1 EXIT
1ST FLOOR STORAGE BLD "D"	20,000 sf (1 x 100) = 200	2 EXITS	2 EXITS
2ND FLOOR STORAGE BLD "D"	20,000 sf (1 x 100) = 200	2 EXITS	2 EXITS
Total Building Storage	50,000 sf	5 EXITS	5 EXITS



BUILDING C FIRST FLOOR

ZON-3976
SUP-3980
SDR-3979
04-08-04 PC



SCOTT L. BAKER,
ARCHITECT, INC.

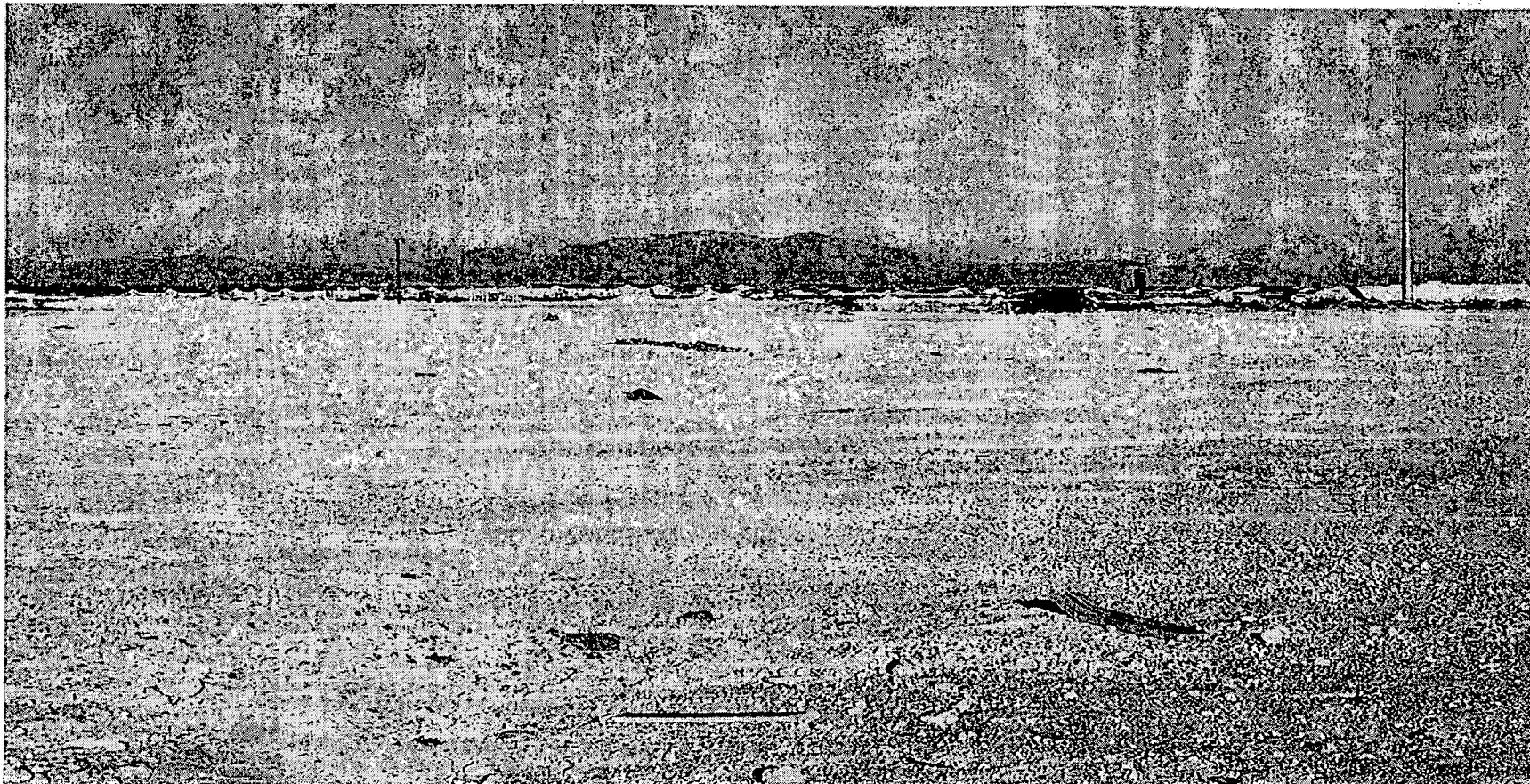
ALIANTE MINI STORAGE

BUILDING "C" FLOOR PLANS "D" SIMILAR

SCALE = 1/16" = 1'-0" PROJECT NO. 04-108 2.23.04.

0' 8' 16' 32' 64' BUILDING C
FLOOR PLANS

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SUP-3980 - APPLICANT: CHRYSALIS INVESTMENTS, LIMITED LIABILITY COMPANY - OWNER:
SCME, LIMITED LIABILITY COMPANY
ADJACENT TO THE SOUTHEAST CORNER OF THOM BOULEVARD AND ROME BOULEVARD
APRIL 8, 2004 PLANNING COMMISSION

03/18/04

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101
Via Facsimile 702-474-7463

April 5, 2004

Re: April 8, 2004 Planning Commission Meeting -- Items ZON-3976, SDR-3979 and
SUP- 3980 -- OBJECTIONS

Dear Planning Commission,

It is my understanding that Chrysalis Investments and affiliated companies have filed a request for rezoning (ZON-3976) from R-E to C-1 legally described as the Southeast Quarter of the Southeast Quarter of Section 24, Township 19 South, Range 60 East, MDM. In addition, Chrysalis has requested a site development plan review (SDR-3979) and a special use permit (SUP-3980) in connection with this site. It is my understanding that Chrysalis and affiliated companies are requesting this hearing in hopes of garnering approval for a commercial self-storage facility.

Please note I vehemently oppose this project! This area is a newer residential development area with many of the homes in the area (including mine) to be under two years of age. I bought in this neighborhood knowing that I was surrounded by R-1 and R-E zoning. The request to change this zoning, for which I placed a high value upon when I purchased my home, should be denied. There are simply better locations that should be deemed more appropriate for this type of business. This location is wrong for the proposed purpose.

It is my heartfelt belief that a mini-warehouse in my neighborhood would irreparably damage my new home's property value. Commercial mini-warehouse facilities often become increased targets for theft and criminal activity; often are used to store illegal contraband; create trash and debris; increase traffic on all surrounding streets and cause other problems that make them undesirable in a residential neighborhood.

Please do not fold to the interest of business in this case. This location is wrong for this business and the applicants request should be denied.

Respectfully Submitted,



Clair F. Rogers
5201 Blue Evergreen Ave
Las Vegas, NV 89131
Phone 702-241-7405

ZON-3976
SUP-3980
SDR-3979

P