



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: DECEMBER 10, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: CHAMPION RESOURCE GROUP, LLC - OWNER: DFA, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
24-0510-ZON1	Staff recommends DENIAL.	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

NOTICES MAILED

222

PROTESTS

0

APPROVALS

0

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a stand-alone Rezoning request from R-E (Residence Estates) to C-2 (General Commercial) on 2.68 acres at the southwest corner of Washington Avenue and Harvey Munford Street.

ISSUES

- A Rezoning is requested from R-E (Residence Estates) to C-2 (General Commercial). Staff does not support the request.
- No development is proposed at this time.
- Code enforcement cases are open and pending resolution at the subject site for unpermitted demolition of a structure and the storing of shipping containers.
- The Las Vegas Valley Water District (LVVWD) has commented, "Civil plans will need to be submitted to LVVWD. Existing domestic service/fire protection may not be adequate."

ANALYSIS

The subject site consists of three undeveloped parcels located in the R-E (Residence Estates) zoning district, with a MXU (Mixed Use) Land Use Designation, which allows for both residential and commercial zoning districts and is subject to Title 19 development standards. The site is bordered on the west by Ahern Rentals property, zoned C-1 (Limited Commercial) and R-3 (Medium Density Residential). Properties across Washington Avenue to the north, are zoned R-E (Residence Estates) and developed with single-family dwellings. Properties located to the south of the subject site are zoned R-E (Residence Estates) and developed with single-family dwellings. To the east of the subject site, properties are zoned C-1 (Limited Commercial) with a developed convenience store and fuel pumps.

Per the submitted justification letter, the applicant has requested to Rezone the subject site from R-E (Residence Estates) to C-2 (General Commercial) with the intent to eventually expand the Ahern property located to the west of the site. The C-2 (General Commercial) zoning district allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. At this time, no development is proposed, and any future development will require a Site Development Plan Review.

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The subject property is located within the West Las Vegas area of the City of Las Vegas 2050 Master Plan. This area is comprised of neighborhoods immediately surrounding the Historic Westside district of Downtown Las Vegas. Staff notes the proposed C-2 (General Commercial) zoning district will result in a case of "Spot Zoning", which is defined as a, "Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and does not further the General Plan." Staff has determined that the proposed Rezoning from R-E (Residence Estates) to C-2 (General Commercial) is inappropriate and inconsistent with the adjacent single-family dwellings in the surrounding area, as the Rezoning would allow intense commercial uses commonly located along commercial corridors and other commercial areas to further encroach into an existing residential neighborhood. Therefore, staff recommends denial of the request.

FINDINGS (24-0510-ZON1)

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

1. The proposal conforms to the General Plan.

The proposed Rezoning application from R-E (Residence Estates) to C-2 (General Commercial) on the subject site is consistent with the existing MXU (Mixed Use) Land Use 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 Rezoning would allow uses that will not be compatible with the surrounding land uses. The C-2 (General Commercial) zoning district is designed to provide the broadest scope of compatible services for both the general and the traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses.

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

Growth and development factors in the surrounding community do not indicate the need for general commercial zoning.

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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.**

Site access is provided from Washington Avenue, an 80-foot wide Collector as designated by the Master Plan of Streets and Highways, and is adequate in size to meet the requirements of the proposed zoning district. However, Harvey Munford Street, a 40-foot wide Local Street as designated by Title 13, is not adequate in size to meet the needs of the proposed zoning district.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/09/15	The Planning Commission tabled a General Plan Amendment (GPA-58199) from MXU (Mixed Use) and C (Commercial) to LI/R (Light Industry/ Research) on 28.55 acres at the northeast corner of Bonanza Road and Clarkway Drive.
02/17/16	The City Council tabled a Rezoning (ZON-58200) from R-E (Residence Estates) and C-2 (General Commercial) to M (Industrial) on 28.55 acres at the northeast corner of Bonanza Road and Clarkway Drive.
03/14/23	The Planning Commission approved Variances (22-0738-VAR1, VAR2, VAR3, VAR4, and VAR5) to allow an existing eight-foot tall solid wall within the front setback area where five feet with a two-foot solid wall base is the maximum allowed on 3.91 acres on the south side of Washington Avenue between Tonopah Drive and Harvey Munford Street.
07/31/24	A Code Enforcement case (#CE24-05766) was processed for demolition of a residence without a permit and shipping containers stored on property. The case remains unresolved.
09/04/24	A Code Enforcement case (#CE24-06869) was processed for shipping containers on vacant property. The case remains unresolved.

<i>Most Recent Change of Ownership</i>	
10/26/23	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
06/13/23	A building permit (#R22-17127) was issued for a wall/fence at 837 Clarkway Drive. The permit was final on 05/29/24.

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Pre-Application Meeting	
09/25/24	A pre-application meeting was held with the applicant.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
10/29/24	Staff conducted a routine field check and observed property with an existing wall/fence and multiple shipping containers surrounding the site. A Code Enforcement case (#CE24-05766) is open for storage containers on the property.

Details of Application Request	
Site Area	
Net Acres	2.68

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	MXU (Mixed Use)	R-E (Residence Estates)
North	Residential, Single Family, Detached	R (Rural Density Residential)	R-E (Residence Estates)
South	Residential, Single Family, Detached	R (Rural Density Residential)	R-E (Residence Estates)
East	General Retail, Other Than Listed	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
West	Office, Other Than Listed	MXU (Mixed Use)	C-2 (General Commercial)
			R-3 (Medium Density Residential)

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<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: West Las Vegas	N
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (140 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area - Area 1	N
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	110 Feet	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-E (Residence Estates)	1 dwelling unit per lot	1 unit
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-2 (General Commercial)	N/A	N/A
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
MXU (Mixed Use)	N/A	N/A

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Washington Avenue	Collector	Master Plan of Streets and Highways Map	80	Y
Harvey Munford Street	Local Street	Title 13	40	Y