



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JULY 13, 2021

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: FF SERIES HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
21-0328-GPA1	Staff recommends DENIAL.	
21-0328-ZON1	Staff recommends DENIAL.	21-0328-GPA1

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 92

PROTESTS 0

APPROVALS 0

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to amend the General Plan Designation and Rezone the 3.20 acres located at the northeast and southeast corners of Bilpar Road and Tenaya Way.

ANALYSIS

General Plan Amendment

The 3.20-acre sites located on the northeast and southeast corners of Bilpar Road and Tenaya Way (APNs 125-22-801-011 and 125-22-804-001) are currently designated O (Office) which provides for small lot office conversions as a transition, along primary and secondary streets, from residential and commercial uses, and for large planned office areas. The Office land use designation is intended to provide a buffer for residential land uses from commercial land uses encroaching into the residential neighborhood. It is not intended to be an entry point to increasing the commercial intensity adjacent to existing residential neighborhoods.

The applicant is proposing to amend the General Plan Designation of the two subject sites from O (Office) to SC (Service Commercial) which would support the proposed C-1 (Limited Commercial) Zoning District. The Service Commercial category and corresponding C-1 (Limited Commercial) zoning district allows low to medium intensity retail, office or other commercial uses that serve area patrons, such as General Personal Services (dry cleaning, beauty salons, etc.). These land uses tend to be more intense than those land uses currently supported by the Office Land Use Designation that are typically operated Monday through Friday, 8:00 a.m. to 6:00 p.m., with little to no weekend hours. Office type land uses do not disrupt the adjacent residential neighborhoods during the weekends, evening and nighttime hours, nor introduce a significantly higher traffic count to the area.

The adjacent properties to the east and north of the subject sites are large-lot, rural, single-family residential lots that range in size from 1.23-acres up to 2.35-acres. These lots are part of a Clark County island that is zoned R-E (Rural Estates Residential District). While the adjacent lot to the east, on the south side of Bilpar Road has a Clark County General Plan Designation of OP (Office Professional), the remaining adjacent lots on the north side of Bilpar Road are designated by Clark County as RN (Rural Neighborhood) and RNP (Rural Neighborhood Preservation). Staff finds the proposed Service Commercial Land Use Designation would support land uses that are too intense for direct adjacency to rural properties and is recommending denial of the requested General Plan Amendment.

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Rezoning

The subject sites are currently zoned O (Office) which is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed in a cluster with an internal traffic circulation system or one larger office building. This district is utilized as a buffer between residential and more intense retail/commercial uses, and not as an entry point to increasing the commercial intensity adjacent to existing residential neighborhoods. The Office District is consistent with the existing Office category of the General Plan.

The applicant has proposed to rezone the subject sites from O (Office) to C-1 (Limited Commercial). This zoning district is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments in some circumstances. The C-1 District is consistent with the proposed Service Commercial category of the General Plan.

The Limited Commercial district permits by right Banquet Facilities, Medical Clinics, General Retail Stores, and Health Clubs. These types of land uses tend to operate late into the evenings and weekends, if not 24 hours a day. The C-1 Zoning District allows by right (no public hearing required) land uses that are too intense for direct adjacency to rural, residential properties that tend to have no street lighting, farm animals, and little to no vehicular traffic.

Staff finds the proposed Limited Commercial zoning district to be too intense, as the surrounding properties to the east and north of the subject sites are zoned by Clark County R-E (Rural Estates Residential District), and are currently utilized as such with single-family residential homes and a variety of farm animals. Therefore, staff is recommending denial of the proposed Rezoning.

FINDINGS (21-0328-GPA1)

Section 19.16.030(l) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The intensity of the proposed Service Commercial land use designation is too intense for a surrounding neighborhood consisting of large lot rural type properties.

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

The proposed C-1 (Limited Commercial) zoning district allowed by the proposed Service Commercial land use designation is too intense for the adjacent large lot rural residences.

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

The transportation facilities include Tenaya Way is an eighty-foot wide Collector Street, which is adequate in size to meet the requirements of a commercial use on the subject sites. Bilpar Road is a 60-foot wide Local Street, which primarily serves residential traffic and is not adequate for commercial traffic.

- 4. The proposed amendment conforms to other applicable adopted plans and policies.**

The newly adopted 2050 Master Plan outlines the future of Centennial Hills to maintain the large-lot residential ranch estates and incorporate them into a mix of traditional and suburban single-single family homes with the “core” part of the regional center becoming more dense and intense as a suburban “Town Center.” Allowing intense commercial uses to develop outside of the Town Center Core and encroach upon the large-lot rural estates does not support the recommendations of the 2050 Master Plan to preserve and protect the large lot rural neighborhoods.

FINDINGS (21-0328-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.**

If approved, the proposed C-1 zoning district would conform to the proposed SC (Service Commercial) 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.**

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The proposed C-1 (Limited Commercial) zoning district would allow land uses such as restaurants, health clubs and hair salons by right, without the need for a public hearing. Only a new building structure would be required to go before the Planning Commission at a public hearing, but once constructed, the land use could change without a public hearing. These type of land uses are too intense for direct adjacency to a rural neighborhood and would create a disruption to the rural residences.

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

Development factors in the area do not indicate the need for the rezoning as the east side of Tenaya Way is developed with single-family homes on lots ranging in size from 1.23 acres to 2.35 acres and is rural in nature containing a variety of farm animals such as horses and chickens.

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.

Tenaya Way is an eighty-foot wide Collector Street, which is adequate in size to meet the requirements of a commercial use on the subject sites. Bilpar Road is a 60-foot wide Local Street which primarily serves residential traffic and is not adequate for commercial traffic.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
12/21/16	The City Council approved a request for a General Plan Amendment (GPA-66496) from R (Rural Density Residential) to SC (Service Commercial) on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way. The request was amended from SC (Service Commercial) to O (Office) and was approved as such. The Planning Commission was unable to achieve a supermajority vote which tantamount a denial, and staff recommended denial.
	The City Council approved a request for a Rezoning (ZON-66497) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to C-1 (Limited Commercial). The request was amended from C-1 (Limited Commercial) to O (Office) and was approved as such. The Planning Commission recommended approval, and staff recommended denial.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
02/14/17	The Planning Commission approved a request for a Variance (VAR-66498) to allow a ten-foot residential adjacency setback where 81 feet is required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way. The application was originally approved by Planning Commission on 11/01/16 and forwarded to City Council with the recommendation of approval from the Planning Commission on 12/21/16. The City Council remanded the application back to the Planning Commission on 02/14/17. Staff recommended denial.
	The Planning Commission approved a request for a Variance (VAR-68295) to allow 44 parking spaces where 49 parking spaces are required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way. Staff recommended denial.
	The Planning Commission approved a request for a Site Development Plan Review (SDR-66499) for a proposed 8,800 square-foot medical office development with Waivers to allow a zero-foot landscape buffer along the south perimeter, an 11-foot buffer along the north perimeter where 15 feet is required and to not orient the building to the corner where such is required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way. The application was originally approved by Planning Commission on 11/01/16 and forwarded to City Council with the recommendation of approval from the Planning Commission on 12/21/16. The City Council remanded the application back to the Planning Commission on 02/14/17. Staff recommended denial.
02/26/19	The applicant Withdrew Without Prejudice a request for a Variance (VAR-75232) to allow a 52-foot Residential Adjacency Setback where 87 feet is required on 1.99 acres at the northeast corner of Bilpar Road and Tenaya Way.
	The applicant Withdrew Without Prejudice a request for a Variance (VAR-75233) to allow 109 parking spaces where 115 parking spaces are required on 1.99 acres at the northeast corner of Bilpar Road and Tenaya Way.
	The applicant Withdrew Without Prejudice a request for a Variance (VAR-75236) to allow a 29-foot Residential Adjacency Setback where 87 feet is required on 1.21 acres at the southeast corner of Bilpar Road and Tenaya Way.
	The applicant Withdrew Without Prejudice a request for a Variance (VAR-75237) to allow 35 parking spaces where 42 parking spaces are required on 1.21 acres at the southeast corner of Bilpar Road and Tenaya Way.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
	The applicant Withdrew Without Prejudice a request for a Site Development Plan Review (SDR-75234) for a proposed commercial development consisting of an 8,000 square-foot building with a 1,250 square-foot outdoor play area and a 12,000 square-foot building with a 1,590 square-foot outdoor patio on 1.99 acres at the northeast corner of Bilpar Road and Tenaya Way.
03/26/19	The Planning Commission approved a request for an Extension of Time (EOT-75655) of an approved Variance (VAR-66498) to allow a 10-foot Residential Adjacency Setback where 81 feet is required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way.
	The Planning Commission approved a request for an Extension of Time (EOT-75656) of an approved Variance (VAR-68295) to allow 44 parking spaces where 49 parking spaces are required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way.
	The Planning Commission approved a request for an Extension of Time (EOT-75657) of an approved Site Development Plan Review (SDR-66499) for a proposed 8,800 square-foot medical office development with Waivers to allow a zero-foot landscape buffer along the south perimeter, an 11-foot buffer along the north perimeter where 15 feet is required and to not orient the building to the corner where such is required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way.
05/01/19	The applicant Tabled a request for a General Plan Amendment (GPA-75230) from O (Office) to SC (Service Commercial) on 3.20 acres at the northeast and southeast corners of Bilpar Road and Tenaya Way.
	The applicant Tabled a request for a Rezoning (ZON-75231) from O (Office) to C-1 (Limited Commercial) on 3.20 acres at the northeast and southeast corners of Bilpar Road and Tenaya Way.
	The applicant Tabled a request for a Site Development Plan Review (SDR-75238) for a proposed 7,350 square-foot commercial building with drive through on 1.21 acres at the southeast corner of Bilpar Road and Tenaya Way.
04/13/21	The Planning Commission approved a request for a second Extension of Time (21-0068-EOT1) of an approved Variance (VAR-68295) to allow 44 parking spaces where 49 parking spaces are required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way.
	The Planning Commission approved a request for a second Extension of Time (21-0068-EOT2) of an approved Variance (VAR-66498) to allow a 10-foot Residential Adjacency Setback where 81 feet is required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
	The Planning Commission approved a request for a second Extension of Time (21-0068-EOT3) of an approved Site Development Plan Review (SDR-66499) for a proposed 8,800 square-foot medical office development with Waivers to allow a zero-foot landscape buffer along the south perimeter, an 11-foot buffer along the north perimeter where 15 feet is required and to not orient the building to the corner where such is required on 1.21 acres at the northeast corner of Centennial Parkway and Tenaya Way.

<i>Most Recent Change of Ownership</i>	
05/2014	A deed was recorded for a change in ownership for APN 125-22-801-011.
06/1998	A deed was recorded for a change in ownership for APN 125-22-804-001.

<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to the subject sites.	

<i>Pre-Application Meeting</i>	
05/17/21	Staff conducted a pre-application meeting to discuss the submittal requirements for the proposed rezoning and possible development.

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Neighborhood Meeting	
06/15/21	<p>The neighborhood meeting was held at 5:30 p.m. at the Centennial Hills Library Multipurpose Room, 6711 North Buffalo Drive, Las Vegas, Nevada 89131.</p> <p><u>Attendees:</u> The property owner; Five representatives for the property owner, including the architect; One commercial property owner from the area interested in the proposal; and Two members of the public, or neighbors.</p> <p><u>Results:</u> The applicant had brought drawings of possible designs for a proposed mini-storage facility and wanted feedback from the neighbors on the design. The neighbors in attendance agreed that the site is no longer appropriate for residential, but was not sure what type of commercial uses they would be comfortable with, and did not like the idea of a multi-story mini-storage facility. The residents in attendance indicated they would go back and discuss with their neighbors and home owners association(s) to discuss the possibilities of commercial development on the subject sites and what type/style of development they would be comfortable with adjacent to their residences.</p>

Field Check	
05/26/21	<p>Staff observed the undeveloped subject site during a routine field check. Staff noted the Bilpar Road is not fully developed, and rural, large lot single-family homes are adjacent to the east and north property lines of the subject site.</p>

Details of Application Request	
Site Area	
Gross Acres	3.20

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	O (Office)	O (Office)
North	Single Family, Detached	RNP (Rural Neighborhood Preservation) Clark County	R-E (Rural Estates Residential District) Clark County
South	Centennial Parkway Clark County 215	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Single Family, Detached	RN (Rural Neighborhood) Clark County OP (Office Professional) Clark County	R-E (Rural Estates Residential District) Clark County
West	Multi-Family	TC (Town Center)	T-C (Town Center)

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