

**NORTH LAS VEGAS CITY COUNCIL
AGENDA ITEM**

Number: **43**

SUBJECT:

Ordinance No. 2444 (ZN-08-08, Tom and Kathleen Collins); an application submitted by Tom and Kathleen Collins, property owners, for a reclassification of property from an R-E, Ranch Estates District to a C-P, Professional Office Commercial District. The property is located at 4216 North Decatur Boulevard.

REQUESTED BY:

Tom and Kathleen Collins, property owners.

RECOMMENDATION OR RECOMMENDED MOTION:

It is recommended that on April 16, 2008, City Council introduce Ordinance No. 2444 and approve Ordinance No. 2444 on May 7, 2008.

FISCAL IMPACT:

Amount: \$
Explanation:

ACCOUNT NUMBER:

STAFF COMMENTS AND BACKGROUND INFORMATION:

At the meeting of March 26, 2008, the Planning Commission unanimously recommended approval (7-0 vote) of ZN-08-08 (Commissioner Dean Leavitt made the motion and Commissioner Harry Shull seconded the motion) to reclassify the property from an R-E, Ranch Estates District to a C-P, Professional Office Commercial District.

The proposed zone change to a C-P Professional Office Commercial District is consistent with the Comprehensive Plan land use designation of Employment.

The Planning and Zoning Department recommended approval.

Attachments:

Ordinance Number 2444
Staff Report with Attachments
Location and Zoning Map

LIST CITY COUNCIL GOAL(S):

Planned and Quality Growth

PREPARED BY:


Frank Fiori, AICP
Acting Planning and Zoning Director

**RESPECTFULLY
SUBMITTED:**


Gregory E. Rose
City Manager

**CITY COUNCIL
MEETING DATE:**

April 16, 2008
May 7, 2008

ORDINANCE NO. 2444

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 1.03 ± ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (ZN-08-08, TOM AND KATHLEEN COLLINS), FOR PROPERTY LOCATED AT 4216 NORTH DECATUR BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the rezoning is consistent with the Comprehensive Plan; and

WHEREAS, the Council determines that the amendment will not adversely affect the health and general welfare; and,

WHEREAS, according to Paragraphs 1 and 2 of Subsection E of Section 20 of Chapter 28 of Title 17 of the North Las Vegas Municipal Code, the City Council may, by ordinance, reclassify property.

NOW THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: In accordance with the provisions of Ordinance No. 2444 the following described parcel of land shall be reclassified as follows:

R-E, RANCH ESTATES DISTRICT TO A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT (ZN-08-08), the following property described to wit:

APN # 139-06-310-008

LOTS EIGHT (8) AND NINE (9) IN BLOCK ONE (1) OF "DESERT AIRE ESTATES UNIT NO. 1" AS SHOWN BY MAP THEREOF ON FILE IN BOOK 05 OF PLATS, PAGE 56 IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, TOGETHER WITH THAT PORTION OF DECATUR BOULEVARD AS DISCLOSED BY THAT CERTAIN ORDER OF VACATION RECORDED AUGUST 28, 1984 IN BOOK 1080AS DOCUMENT NO. 1939536.

SECTION 2: The C-P, Professional Office Commercial District herein created is subject to the development standards and requirements of the North Las Vegas Municipal Code.

SECTION 3: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in

violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 4: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 5: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas and, after such passage by the City Council, publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 6: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Councilmen voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS _____ day of _____, 2008.

AYES:

NAYS:

ABSENT:

APPROVED:

MICHAEL L. MONTANDON, MAYOR

ATTEST:

KAREN L. STORMS, CMC, CITY CLERK

BACKGROUND INFORMATION:

The applicant is requesting a reclassification of property from an R-E, Ranch Estates District to a C-P, Professional Office Commercial District. The site is located at 4216 North Decatur Boulevard. Properties to the east and south are zoned R-E, Ranch Estates consisting of single family dwellings. The property to the north has been rezoned to C-P, Professional Office Commercial with the property to the west (across Decatur Boulevard) being a single family dwelling in the City of Las Vegas.

DEPARTMENT COMMENTS:

Public Works: No comments on this application.

Fire Department: There appears to be no outstanding Fire Department issues regarding this application.

Utilities Department: Please see attached memorandum.

ANALYSIS:

The proposed reclassification from an R-E, Ranch Estates District to a C-P Professional Office Commercial District is consistent with the Comprehensive Plan land use designation of Employment. The primary purpose of the C-P Professional Office Commercial District is to provide for development of certain low density businesses, such as professional offices, which are in harmony with and compatible with the surrounding and adjacent residential neighborhood.

In the Letter of Intent the applicant has indicated that this site will be used for an office development. Over the years (1994-2005) several properties to the north of this site have been rezoned to commercial districts (APNs 139-06-310-004, 005 and 006 to C-P Professional Office Commercial District and 139-06-310-004 to C-1 Neighborhood Commercial District.

An informational memorandum was received from the Utilities Department as follows: Septic tanks are not allowed in the City of North Las Vegas, unless otherwise approved by the Director of Utilities; the developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations and the existing water lateral is anticipated to be inadequate. Developer will be required to abandon existing and install larger diameter laterals.

Because this is a request for a conventional zoning district, conditions cannot be incorporated into this recommendation. However, as the property redevelops to an office use the above mentioned requirements will need to be provided in addition to all appropriate Municipal Code requirements.

RECOMMENDATIONS:

The Planning and Zoning Department recommends that ZN-08-08 be given favorable consideration and forwarded to the City Council for final approval.

ATTACHMENTS:

Utilities Department Memorandum
Letter of Intent
Boundary Map
Location and Zoning Map

CITY OF NORTH LAS VEGAS

INTEROFFICE MEMORANDUM

To: Robert Eastman, AICP, Principal Planner, Planning & Development Department
Cc: Toni Ellis, Planner
From: Ernie C. Buo, Engineering Assistant, Utilities Department
Subject: ZN-08-08, Tom and Kathleen Collins
Date: January 22, 2008

The Utilities Department recommends the following condition of approval:

1. Septic Tanks are not allowed in the City of North Las Vegas, unless otherwise approved by the Director of Utilities.

For information purposes only:

1. The developer shall provide a meter and backflow prevention per building per City of North Las Vegas Municipal Water Services District Service Rules and Regulations.
2. The existing water lateral is anticipated to be inadequate. Developer will be required to abandon existing and install larger diameter laterals.

Kathleen J. Collins
PO Box 249
Logandale, NV 89021
702-250-1982

January 9, 2008

Re: APN 139-06-310-008
4216 N. Decatur Blvd.
North Las Vegas

This property is located near the northeast corner of Decatur and San Miguel Ave. It faces Decatur Blvd. It is currently planned for office development. We respectfully request the property be rezoned to a C-P zoning. This zoning request is consistent and meets the goals and policies of the newly adopted master plan. There is other property in the area that is similarly situated and approved for commercial uses.

Thank you for your consideration. Please call me at 250-1982 if you have any questions or concerns.

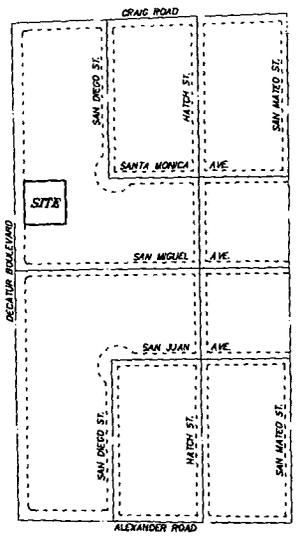
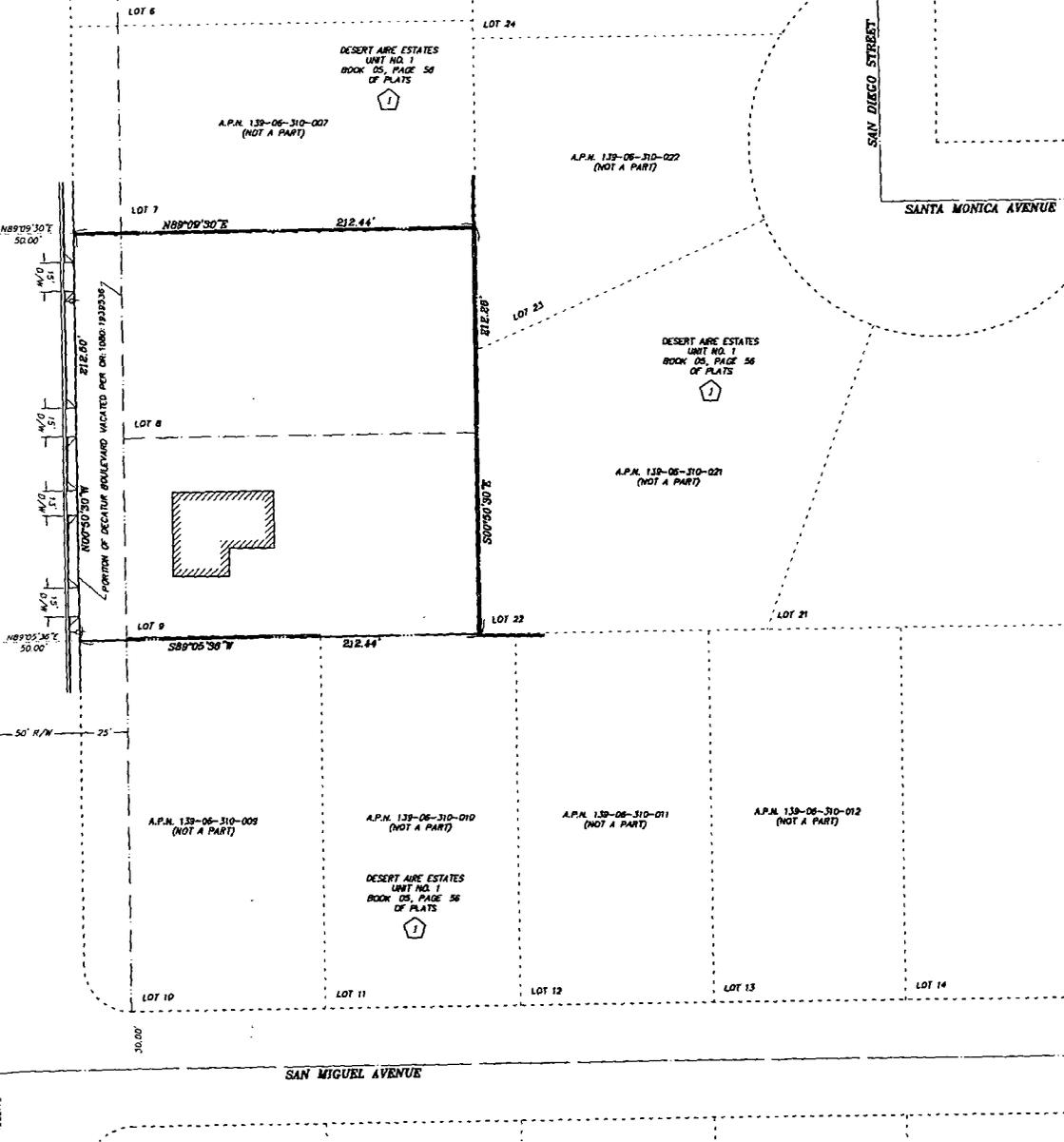
Sincerely,



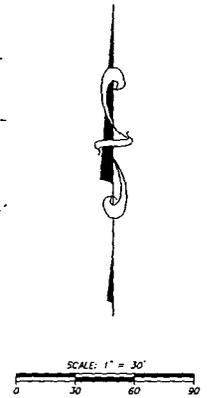
Kathleen J. Collins

1/4 1 8

785.90'
2455.51'
212.30'
50' R/W
724.30'
1333.75'



VICINITY MAP



BASIS OF BEARINGS

NORTH 00°50'30" WEST, BEING THE BEARING OF THE CENTER LINE OF THE DECATUR BOULEVARD, AS DELINEATED BY MAP ON FILE IN BOOK 05, PAGE 56 OF PLATS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

LEGAL DESCRIPTION

LOTS EIGHT (8) AND NINE (9) IN BLOCK ONE (1) OF "DESERT AIRE ESTATES UNIT NO. 1", AS SHOWN BY MAP THEREOF ON FILE IN BOOK 05 OF PLATS, PAGE 56, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA, TOGETHER WITH THAT PORTION OF DECATUR BOULEVARD AS DISCLOSED BY THAT CERTAIN ORDER OF VACATION RECORDED AUGUST 26, 1994 IN BOOK 1080 AS DOCUMENT NO. 193833.

LEGEND

- BOUNDARY LINE
- STREET CENTERLINE
- - - ADJOINING RIGHT-OF-WAY / LOT LINE
- ORIGINAL PLAT LINE
- A.P.N. ASSESSOR'S PARCEL NUMBER
- CONCRETE CURB & GUTTER
- UTILITY POLE
- BLOCK WALL
- FENCE LINE
- ① BLOCK NUMBER

SECTION CORNER 1 1 8 12 7

DISPLAY
FOR
**C. W. TOM COLLINS JR. &
KATHLEEN COLLINS**

LOTS 8 & 9 IN BLOCK 1 OF "DESERT AIRE ESTATES UNIT NO. 1", AS SHOWN BY MAP THEREOF ON FILE IN BOOK 05 OF PLATS, PAGE 56, IN THE CLARK COUNTY RECORDER'S OFFICE WITHIN THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 06, TOWNSHIP 20 SOUTH, RANGE 01 EAST, M.D.M., CLARK COUNTY, NEVADA.

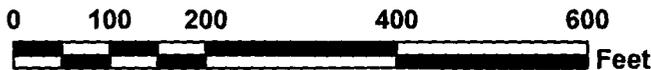
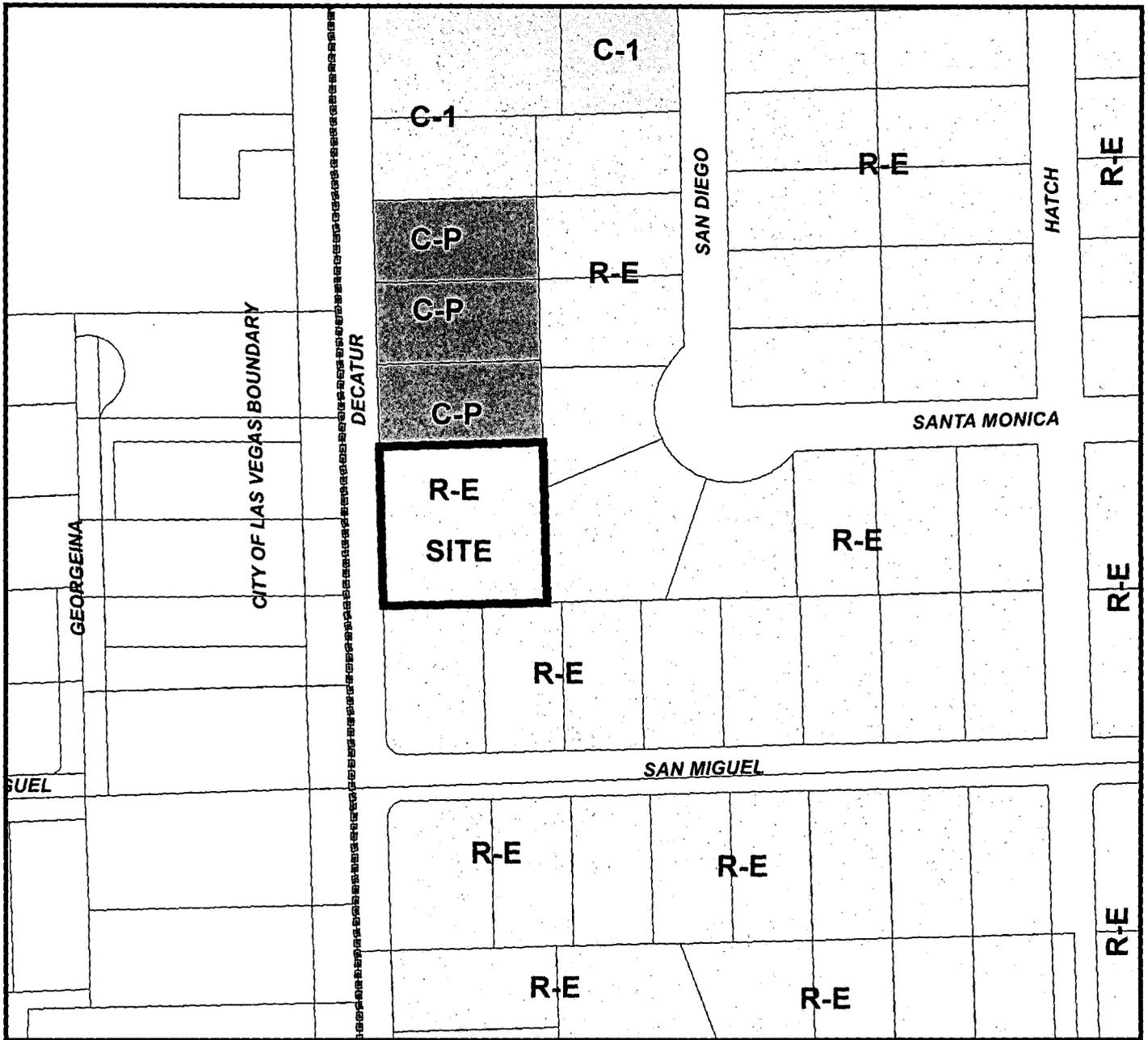
G.D.S. GUY DOTY SURVEYING
P. O. Box 148 Logandale, NV 89021
Tel: 015-307-0250 Fax: 307-857-6224



**CITY OF
NORTH LAS VEGAS**
Your Community of Choice

THE CITY OF NORTH LAS VEGAS

Location & Zoning Map



Applicant: Tom & Kathleen Collins
 Application Type: Property Reclassification
 Request: R-E, Ranch Estates District to
 C-P, Professional Office Commerical District
 Project Info: Approximately 1.02 Acres
 Case Number: ZN-08-08



NEW BUSINESS

1. **ZN-08-08 (33925) TOM & KATHLEEN COLLINS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TOM AND KATHLEEN COLLINS, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E, RANCH ESTATES DISTRICT TO A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 4216 NORTH DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-310-008.**

The application was presented by Marc Jordan, Planning Manager who explained the Comprehensive Plan showed the area to be rezoned as employment and the request was consistent with previous requests for rezonings to the C-P District north of the proposed property. Staff was recommending approval of ZN-08-08.

Kathleen Collins, P.O. Box 249, Logandale, NV 89021 appeared indicating she concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. There was no public participation.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

AYES: Chairman Brown, Vice-Chairman Trivedi, Commissioners Leavitt, Aston, Shull, Cato, and Thomas

NAYS: None

ABSTAIN: None