

Scotch Eighties Home Owners Association

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Thursday, July 30, 2009

Ms. M. Margo Wheeler, Director

Planning and Development Department

Development Services Center

731 South Fourth Street

Las Vegas, NV 89101

Faxed & Mailed: 474-7463

Attention: Director Wheeler,

RE: Zoning Change Application: ZON-34775, 1823 W. Charleston Blvd., 1128 Shadow Lane (APN: 162-04-111-018 and 162-112-005).

We would formally like to request a review by you and your senior office managers to determine why certain members of your Planning Staff gave 'Approval' for the rezoning of Residential Estates to Office-Parking that will result in the destruction of a historic (older than 50 years) single family home that, along with pioneer-planted trees and landscape, acts as a gateway to a stable, quality single family neighborhood. And, that in such re-zoning commercial development would be placed directly against viable single family housing.

After such review we would respectfully request that the Planning Department withdraw their approval to this re-zoning, based on the flawed methodology in their Planning Staff Report which applied incorrect findings, as such :

- a.) did not ascertain the true ‘surrounding property’ aspects;
- b.) ignored “Special District/Zones” which are impacted and involved;
- c.) that because of ‘b”, this re-zoning does not conform to the General Plan;
- d.) incorrect that “approving zoning will be compatible with surrounding land uses”.
- e.) failed to supply evidentiary methodology to support “growth and development factors indicate need for appropriateness of the rezoning.”
- f.) supplied no data to support assumption that street or highway facilities are adequate.
- c.) ignored the “Regional Significance” aspects.

Because of such a broad sweep in the findings within the Staff Report, which by contrary evidence are so against these findings, we have to raise a valid concern that certain Staff members may have acted in concert with the property owner, knowing full well that the property owner: (a) has in the recent past torn down single family homes in residential areas with the desire to gain commercial rezoning; and (b) the developer owns (next to the current zoning application) adjacent single family homes which would only benefit by the rezoning, thus to substantiate neighborhood deterioration (change of circumstances), towards future re-zoning of single family homes into medical type offices. Any lay person can see that there is a greater plan to commercialize the neighborhood by the applicant. We must ask at what time did the Planning Staff become aware of the possible additional plans by the selling developer to deteriorate neighborhood quality? We believe the Planning Staff forgot *Goal 2 of Neighborhood Revitalization of the Las Vegas Master Plan 2020: **Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.***

Further, we are amazed that the Planning Staff would so arbitrarily give “Approval” to the application without a comprehensive knowledge of the impact by a 24/7 two hundred seventy (270) car stall general medical parking lot, turned over at least 3 times a day, and what such activity would do with traffic impact both dumped into a single family neighborhood off Shadow Lane, as well as impede traffic flow at signals and cause dangerous pedestrian crossings on Charleston. One of your own Planning Staff members said publicly, ‘A traffic study is not required for this approval.’ And yet, after Planning Staff finds streets are adequate (Finding #4) that the applicant feels it now essential to seek such a traffic study. Traffic flows do have bearing

in this issue. In our mind, to ignore the need for related data to support Finding #4, thereby ignoring potential safety and visual impacts speaks of poor planning expertise.

Finally, it is our position the City, Clark County and UMC, if this re-zoning were to pass, would be in violation of City of Las Vegas ordinances in regards to an unwarranted expansion outside the boundaries of the **Las Vegas Medical District Plan**, amended August 1, 2007; Resolution R-57-2007, and as such Plan is promulgated within the Las Vegas Master Plan 2020.

Such expansion would require a public hearing by both Planning Commission and City Council to change the boundaries of the Las Vegas Medical District as to the entire district towards the inclusion of these two parcels within the District. Such a hearing must occur **first and separate from the above listed proposed rezoning**. Our neighborhood association is adamantly opposed to the expansion of the Las Vegas Medical District Plan south of Charleston, and believe that should have been the position of the Planning Department, to obey existing statutes.

Thus by all these flaws we question Planning Staff conclusions in reaching their *Findings for Approval*, even to believe there is more behind this application approval than meets the eye.

I, and members of our Association, would be more than happy to visit with you and your staff members to discover true facts and to discuss other factual information which was omitted or overlooked in your analysis.

Very truly yours,

cc: Chairman, Planning Commission

Mayor of Las Vegas

Board, Scotch 80's Association

Stephen Grogan, President

Scotch Eighties Home Owners Association

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