

*City of Las Vegas*

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 12, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: GPA-12310 - APPLICANT/OWNER: TMF INVESTMENTS, LLC,  
ET AL**

---

**\*\* CONDITIONS \*\***

The Planning Commission (5-1/sd vote) and staff recommend APPROVAL, subject to:

## **\*\* STAFF REPORT \*\***

### **APPLICATION REQUEST**

This is a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from R (Rural Density Residential) and SC (Service Commercial) to M (Medium Density Residential) on 5.41 acres adjacent to the west side of Decatur Boulevard between Madre Mesa Drive and Roberta Lane. A Rezoning to R-3 (Medium Density Residential), a Variance of the Residential Adjacency Standards and a Site Development Plan Review will be heard concurrently with this item.

### **EXECUTIVE SUMMARY**

The applicant has submitted this request for the purpose of developing an apartment complex. This request represents 5.4 of the 10.53 acres proposed for the multi-family site; the balance of that land is already master planned for M (Medium Density Residential) uses. The request is appropriate, since most of the site already has the M designation, lands to the north allow multi-family uses, and the flag-shaped strip of land currently designated SC (Service Commercial) would be restricted to residential uses and lower building height. While compatible if conforming to Zoning Code standards, projects on this site should nevertheless employ adequate screening from adjacent lands designated R (Rural Density Residential).

### **BACKGROUND DATA**

- 05/26/77      The Clark County Regional Planning Council adopted a Regional Comprehensive Plan. On this plan, the subject properties were designated for Estate Density Residential land uses with a maximum density of three (3) dwelling units per acre.
- 03/12/92      The City Council adopted the Southwest Sector map of the City of Las Vegas General Plan. On this plan, the subject properties were designated for Medium Density Residential and Service Commercial land uses.
- 06/28/99      The City Council approved a City-initiated General Plan Amendment (GPA-0011-99) to change the land use designation of a portion of the subject property from R (Rural Density Residential) and SC (Service Commercial) to M (Medium Density Residential) and SC (Service Commercial). This property included what is now a U.S. Post Office at the southwest corner of Decatur Boulevard and Madre Mesa Drive. The Planning Commission and staff recommended approval.

- 08/18/99 The City Council approved a General Plan Amendment (GPA-0023-99), which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 units per acre, Medium-Low Density Residential to allow up to 8 units per acre, and Medium Density Residential up to 25 units per acre.
- 08/18/99 The City Council approved a General Plan Amendment (GPA-0014-99) 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.
- 06/07/00 The City Council approved a General Plan Amendment (GPA-0005-00) to change the land use designation from M (Medium Density Residential) and SC (Service Commercial) to M (Medium Density Residential) and SC (Service Commercial) on 4.1 acres at the southwest corner of Decatur Boulevard and Madre Mesa Drive. The Planning Commission and staff recommended approval.
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan.
- 01/02/02 The City Council approved a General Plan Amendment (GPA-0024-01) to change the land use designation from R (Rural Density Residential) and ROW (Right-of-Way) to M (Medium Density Residential) on approximately 2.21 acres located on the south side of Madre Mesa Drive, approximately 700 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
- 07/06/05 The City Council approved a General Plan Amendment (GPA-6363) to amend the Land Use Element and add the Recently Developed Area to the Las Vegas 2020 Master Plan.
- 04/27/06 The Planning Commission held the following items in abeyance to the 06/08/06 Planning Commission meeting in an effort to allow the applicant time to meet with area residents and consider possible design changes: A General Plan Amendment (GPA-12310) to change the Master Plan Land Use on a 5.4-acre portion of the subject site from R (Rural Density Residential) and SC (Service Commercial) to M (Medium Density Residential); a Rezoning (ZON-12312) from U (Undeveloped) [R (Rural Density Residential) and M (Medium Density Residential) Master Plan Designations]; U (Undeveloped) [SC (Service Commercial) Master Plan Designation] under Resolution of Intent to C-1 (Limited Commercial); and R-E (Residence Estates) to R-3 (Medium Density Residential) on the subject site; a Variance (VAR-12318) to allow a 20-foot setback from protected properties where Residential Adjacency Standards require a 105-foot setback on the subject site and to allow three-story buildings where a maximum of two stories is allowed; and a Site Development Plan Review (SDR-12316) for a proposed 200-unit apartment project and a Waiver of perimeter landscape buffer requirements on the subject site.

06/08/06 The Planning Commission recommended approval of companion items ZON-12312 and VAC-13244 and held companion items VAR-12318 and SDR-12316 in abeyance to the 07/13/06 Planning Commission meeting concurrently with this application.

06/08/06 The Planning Commission voted 5-1/sd to recommend APPROVAL (PC Agenda Item #7/ss).

### **DETAILS OF APPLICATION REQUEST**

Site Area: Gross Acres: 11.26  
Net Acres: 10.53

### **EXISTING LAND USE**

Subject Property: Single Family Residential and Undeveloped  
North: Single-Family Residential (Townhomes)  
Multi-Family Residential (Apartments)  
Public Drainage Easement  
South: Single-Family Residential  
East: Post Office  
Multi-Family Residential (Apartments)  
West: Single-Family Residential

### **PLANNED LAND USE**

Subject Property: R (Rural Density Residential)  
M (Medium Density Residential)  
SC (Service Commercial)  
North: MLA (Medium-Low Attached Density Residential)  
M (Medium Density Residential)  
South: R (Rural Density Residential)  
M (Medium Density Residential)  
East: M (Medium Density Residential)  
West: R (Rural Density Residential)

### **EXISTING ZONING**

Subject Property: R-E (Residence Estates)  
U (Undeveloped) [M (Medium Density Residential) Master Plan Designation] U  
(Undeveloped) [SC (Service Commercial) Master Plan Designation] under  
Resolution of Intent to C-1 (Limited Commercial)  
North: R-PD12 (Residential Planned Development - 12 Units per Acre)  
R-PD20 (Residential Planned Development - 20 Units per Acre)

South: R-PD6 (Residential Planned Development - 6 Units per Acre)  
 R-3 (Medium Density Residential)  
 R-E (Rural Estates Residential - Clark County Designation)  
 East: C-1 (Limited Commercial)  
 C-M (Commercial/Industrial)  
 West: R-PD6 (Residential Planned Development - 6 Units per Acre)

| <i><b>SPECIAL DISTRICTS/ZONES</b></i>  | <b>YES</b> | <b>NO</b> |
|--|------------|-----------|
| SPECIAL PLAN AREA                      |            | X         |
| RURAL PRESERVATION NEIGHBORHOOD        |            | X         |
| RURAL PRESERVATION NEIGHBORHOOD BUFFER |            | X         |
| PROJECT OF REGIONAL SIGNIFICANCE       |            | X         |

The subject site is not associated with any Special Plan Area and is not located within the Rural Preservation Overlay District.

| <i><b>EXISTING<br/>GENERAL PLAN<br/>DESIGNATION</b></i> | <i><b>PERMITTED<br/>DENSITY</b></i> | <i><b>PROPOSED<br/>GENERAL PLAN<br/>DESIGNATION</b></i> | <i><b>PERMITTED<br/>DENSITY</b></i> |
|---|-------------------------------------|---|-------------------------------------|
| R   | 3.59 du/ac                          | M   | 25.49 du/ac                         |
| SC  | N/A                                 | M   | N/A                                 |
| M   | 25.49 du/ac                         | M   | 25.49 du/ac                         |

The subject requests proposes to change the land use designation on two parcels from R (Rural Density Residential), which allows up to 3.59 dwelling units per acre, and SC (Service Commercial) to M (Medium Density Residential), which allows up to 25.49 dwelling units per acre.

**DEFINITIONS**

***R (Rural Density Residential)*** (2.5 to 3.59 dwelling units/gross acre). The Rural Density Residential category allows a maximum of 3.59 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

***ML (Medium-Low Density Residential)*** (5.6 to 8.49 dwelling units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

***MLA (Medium Low Attached Density Residential)*** (8.5 to 12.49 dwelling units/gross acre.) The Medium-Low Attached Density Residential category permits a maximum of 12.49 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.

***M (Medium Density Residential)*** (12.5 to 25.49 dwelling units/gross acre.) The Medium Density Residential category permits a maximum of 25.49 dwelling units per gross acre. This category includes a higher density variety of multi-family unit types, such as plexes, townhouses, and medium-density apartments.

***SC (Service Commercial)*** The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

### INTERAGENCY ISSUES

No special planning areas are associated with the proposed site.

### ANALYSIS

The parcels proposed to be redesignated M (Medium Density Residential) are composed of one residential lot that was recently annexed into the city and a long narrow strip of land intended for a mini-warehouse use that was never realized. The adjacent property is part of the applicants proposal for a 200-unit apartment development and is already designated M (Medium Density Residential), the result of previous attempts to develop multi-family uses in this area. The site has direct access to Madre Mesa Drive, which also serves townhouse and apartment developments west of Decatur Boulevard. The portion of the site currently designated SC (Service Commercial) is a flag lot providing right-only access to Decatur Boulevard and wraps around an existing apartment development at the northwest corner of Decatur Boulevard and Roberta Lane.

The subject property abuts lands to the west planned for R (Rural Density Residential) uses, but were instead developed at a density of 6.29 units per acre. Conversely, lands to the south of the subject property consist typically of half-acre or larger lots and are designated R (Rural Density Residential), which allows up to 3.59 units per acre. These properties are located in an unincorporated area. Lands to the east are designated SC (Service Commercial), which is the site of an existing U.S. Post Office, and M (Medium Density Residential) on the east side of Decatur, where a large condominium project was recently approved.

## FINDINGS

Section 19.18.030.I 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,
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.

In regard to 1:

The proposed M (Medium Density Residential) designation is an appropriate land use for the subject area, given the sites location adjacent to existing M (Medium Density Residential), MLA (Medium-Low Attached Density Residential) and SC (Service Commercial) designated properties to the north and east. Properties to the west and south are designated R (Rural Density Residential); however, the existing density to the west is actually in a medium-low range and Roberta Lane would provide a suitable buffer for properties to the south.

In regard to 2:

The proposed rezoning to R-3 (Medium Density Residential) would allow up to 25.49 units per acre adjacent to single-family development on the north, west and south; however, as long as any proposed project conforms to the R-3 (Medium Density Residential) standards of the Zoning Code (especially concerning bulk and height requirements), the impact to these properties should be minimal. There is existing R-3 (Medium Density Residential) development on the northwest corner of Decatur Boulevard and Roberta Lane.

In regard to 3:

There will be adequate transportation, recreation, utility, and other facilities to accommodate any proposed multi-family residential project. Upon future development of the property, all necessary off-site improvements will be required. The site is serviced by the Northwest Area Command of the Las Vegas Metropolitan Police Department with a substation approximately six miles to the west at Cheyenne Avenue and Hualapai Way. Fire Station #42, which is approximately two miles away at 7331 West Cheyenne Avenue, is the closest city facility to the site. Charleston Heights Park, at 2221 Maverick Street, is the closest city park to the site.

In regard to 4:

There are no other adopted plans or policies that apply to this application.

### **GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING**

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on 03/22/06 a neighborhood meeting sponsored by the applicant was held at the North Las Vegas Airport. Eight neighborhood residents attended and had the following concerns and comments:

- Will the development consist of apartments or condominiums?
- What will the rent rates be?
- What does the zoning allow?
- Residents dont want apartments; they would prefer condos.
- Residents stated that condo conversion is inevitable.

The applicant responded that units will be apartments but will be built to condominium standards. The rates will be \$800 \$900 monthly. The applicant told the residents that R-3 (Medium Density Residential) zoning allows up to 24 units per acre; however, this project will be 18 units per acre. Overall, the residents were in support of multi-family development on the site.

### **PLANNING COMMISSION ACTION**

There were six speakers opposed to the project. The applicant agreed to redesign the site plan.

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 489 by Planning Department

**APPROVALS** 0

**PROTESTS** 1