



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - GPA-12164 - APPLICANT/OWNER: PORTICO PROPERTIES

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 12, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-3 vote on a motion for approval) failed to obtain a super majority which is tantamount to DENIAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request to amend a portion of the Southeast Sector Plan of the General Plan from M (Medium Density Residential) to H (High Density Residential) on 8.6 acres at 2301 Valley View Boulevard. A companion rezoning (ZON-12167), Variance (VAR-12168) and Site Development Plan Review (SDR-12128) will be considered concurrently.

EXECUTIVE SUMMARY

The proposed General Plan Amendment to H (High Density Residential) is required to accommodate the R-4 zoning district, which will allow the conversion of a storage building to apartment units. The requested density of development is not compatible with adjacent residential uses and does not comply with policies contained with the Neighborhood Revitalization Strategy Area of the 2020 Master Plan

BACKGROUND DATA:

- 08/07/85 The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for M (Medium Density Residential) land uses with a maximum density of 20 dwelling units per acre.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan. The subject properties were designated for M (Medium Density Residential) land uses with a maximum density of 25.49 dwelling units per acre
- 08/18/99 The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.
- 09/06/99 The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996.
- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Neighborhood Revitalization Area as described in the Plan.

04/13/06 The Planning Commission recommended approval of a companion Rezoning (ZON-12167) a Variance (VAR-12168) and Site Development Plan Review (SDR-12165) concurrently with this application.

04/13/06 The Planning Commission voted 4-3 which is tantamount to Denial of (PC Agenda Item #17/ar).

DETAILS OF APPLICATION REQUEST

Site Area: 8.60 Acres

EXISTING LAND USE

Subject Property	Apartments
North	Townhomes
South	Shopping center
East	Townhomes
West	Single Family Dwellings

PLANNED LAND USE

Subject Property	M (Medium Density Residential)
North	L (Low Density Residential)
South	SC (Service Commercial)
East	L (Low Density Residential)
West	L (Low Density Residential)

EXISTING ZONING

Subject Property	R-3 (Medium Density Residential)
North	R-PD6 (Residential Planned Development, 6 units per acre)
South	C-1 (Limited Commercial)
East	R-PD6 (Residential Planned Development, 6 units per acre)
West	R-1 (Single Family Residential)

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

<i>EXISTING GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>
M (Medium Density Residential)	Maximum of 18.49 du/ac	H (High Density Residential)	More than 25 du/ac

The proposed General Plan Amendment will allow residential densities exceeding 25 units per acre. A density of 25.81 dwelling units are proposed by the current development application.

DEFINITIONS

L (Low Density Residential) (up to 5.49 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

M (Medium Residential)(up to 18.49 units/gross acre.) The Medium Residential category permits a maximum of 18.49 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

H (High Density Residential) (The density range allowed is anything greater than 25 dwelling units/gross acre) The High Density Residential category permits residential planned development and other urban residential developments.

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.

ROW (Right-of-Way) A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

ANALYSIS

The subject parcel is currently developed with an apartment complex. The proposed General Plan Amendment from M (Medium Density Residential) to H (High Density Residential) is required to accommodate the R-4 zoning district, which will allow the conversion of a storage building to apartment units.

The change in land use classification would permit an increase in the density of development from a maximum of 18.49 units per acre to densities exceeding 25 units per acre. This is a substantial increase in the density of residential development compared to the densities of development adjacent to the subject parcels.

The site is located within the Neighborhood Revitalization Strategy Area of the 2020 Master Plan. Policy 2.1.2 of that Strategy Area (page 42) specifically states: That development on vacant or underutilized lots within existing residential neighborhoods (should) be sensitive in use and design to surrounding development.

The proposed General Plan Amendment does not comply with this policy because it would allow a density of development exceeding 25 units per acre, which is not compatible with adjacent residential uses, developed at a density of six units per acre.

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 H (High Density Residential) land use designation allows a density exceeding 25 units per acre, which is not compatible with the adjacent L (Low Density Residential) designation.

In regard to 2:

The proposed Rezoning (ZON-12167) to R-4 (High Density Residential) is not compatible with the R-PD6 (Residential Planned Development 6 units per acre) zoning of the development to the north and east of the subject site.

In regard to 3:

Valley View Boulevard, an 80 foot wide Secondary Collector as designated by the Master Plan of Streets and Highways, can provide adequate transportation access. Existing utilities are in place.

In regard to 4:

The proposed amendment would allow a density of development which is not compatible with adjacent residential uses and therefore does not comply with Policy 2.1.2 of the Neighborhood Revitalization Strategy Area of the 2020 Master Plan.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting for the General Plan Amendment is required to 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 Thursday, March 16, 2006, a meeting was held at the Spanish Oaks Apartments clubhouse/leasing office, located at 2301 Valley View Boulevard. Two people attended and had the following questions/comments:

- Concerns about what was going to be built adjacent to the northern boundary of the property.
- Would the project hurt the surrounding property values?
- Is the project going to add landscaping?
- Architect noted that no new buildings would be built.
- An existing single story storage area is proposed to be converted into six studio units.
- The Architect walked outside to show the two residents where the storage units were located.
- No objections to the proposal other than the questions stated above were provided.

PLANNING COMMISSION ACTION

There was one speaker in opposition.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 399 by Planning Department

APPROVALS 0

PROTESTS 0