



## **AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: JULY 27, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-14321 - APPLICANT/OWNER: CENTEX HOMES**

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### **\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

#### **Planning and Development**

1. A General Plan Amendment (GPA-14318) to an H (High Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-14323), Variance (VAR-14900), and Variance (VAR-14332) applications approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

#### **Public Works**

4. Construct all incomplete half-street improvements on Rock Springs Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
6. Provide documentation acceptable to the Right-of-Way Section of the Department of Public Works that shows how the radius associated with the private access road for the school south of this site is being resolved prior to the submittal of any construction drawings.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

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

**APPLICATION REQUEST**

This is a request for a Rezoning from U (Undeveloped) Zone [PF (Public Facilities) Master Plan Designation] to R-4 (High Density Residential) on 4.43 acres adjacent to the west side of Rock Springs Drive, approximately 300 feet south of Lake Mead Boulevard. GPA-14318, VAR-14332, VAR-14900 and SDR-14323 were filed as companion applications.

**EXECUTIVE SUMMARY**

The purpose of this request is to develop a vacant parcel just south of an existing commercial development along Lake Mead and west of Rock Springs. All of the current and proposed development around the site has been or will be limited to two stories in height. The proposed scope of the development will be more intense than the surrounding area, and does not comply with height or parking requirements. The recommendation is for denial.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                        |
|----------|----------------------------------------------------------------------------------------------------------------------------------------|
| 08/07/91 | The City Council approved a rezoning (Z-0056-91) from N-U (Non-urban) to CV (Civic).                                                   |
| 12/02/92 | The City Council approved an extension of time [Z-0056-91(1)] of an approved rezoning.                                                 |
| 01/19/94 | The City Council approved an extension of time [Z-0056-91(2)] of an approved rezoning.                                                 |
| 07/27/06 | The Planning Commission recommended approval of companion items GPA-14318, VAR-14322 and SDR-14323 concurrently with this application. |
| 07/27/06 | The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #39/kcw).                                                      |

***B) Pre-Application Meeting***

- |          |                                                                                                                                                                                                                                        |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/25/06 | A pre-application conference was held with applicant and the following was discussed: <ul style="list-style-type: none"><li>▪ GPA of PF to H</li><li>▪ Rezoning from U to R-4</li><li>▪ Site Plan review for a 92 unit condo</li></ul> |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- It is recommended that the GPA to be M (Medium), Rezone to R-3
- Redesign buildings to R-3 standards
- Traffic- the entryway is too short
- R-4 zoning will require compliance with setbacks
- Only one variance proposed
- Applicant will consider R-PD development

***C) Neighborhood Meetings***

06/26/06      A neighborhood meeting sponsored by the applicant was held at the Johnson Community Center, 340 Villa Monterey Drive. Four persons attended representing the applicant, but none of the invited public was in attendance.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres: 4.43 Acres

***B) Existing Land Use***

|                  |                           |
|------------------|---------------------------|
| Subject Property | Undeveloped               |
| North            | Retail under construction |
| South            | School                    |
| East             | Retail                    |
| West             | Offices                   |

***C) Planned Land Use***

|                  |                         |
|------------------|-------------------------|
| Subject Property | PF (Public Facilities)  |
| North            | SC (Service Commercial) |
| South            | PF (Public Facilities)  |
| East             | SC (Service Commercial) |
| West             | SC (Service Commercial) |

***D) Existing Zoning***

|                  |                                                                                                                          |
|------------------|--------------------------------------------------------------------------------------------------------------------------|
| Subject Property | U (Undeveloped) [PF (Public Facilities) Master Plan Designation]                                                         |
| North            | U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial) [SC (Service Commercial) Master Plan Designation] |
| South            | U (Undeveloped) [PF (Public Facilities) Master Plan Designation]                                                         |
| East             | C-1 (Limited Commercial)                                                                                                 |
| West             | C-1 (Limited Commercial)                                                                                                 |

***E) General Plan Compliance***

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>      | <b>YES</b> | <b>NO</b> |
|--------------------------------------------|------------|-----------|
| SPECIAL PLAN AREA                          |            | X         |
| RURAL PRESERVATION NEIGHBORHOOD            |            | X         |
| SPECIAL OVERLAY DISTRICT                   | X          |           |
| Airport Overlay District                   | X          |           |
| TRAILS                                     |            | X         |
| RURAL PRESERVATION NEIGHBORHOOD            |            | X         |
| PROJECT OF REGIONAL SIGNIFICANCE           |            | X         |
| DEVELOPMENT IMPACT NOTIFICATION ASSESSMENT |            | X         |

**Airport Overlay District**

The subject parcel is located within the Airport Overlay District, where any development over 175 feet in height requires Special Use Permit approval. As the proposed structures will be significantly less than 175 feet in height, no Special Use Permit is required.

***A) Zoning Code Compliance***

**A1) Development Standards**

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

| <b>Standards</b>        | <b>Required</b> | <b>Provided</b> | <b>Compliance</b> |
|-------------------------|-----------------|-----------------|-------------------|
| Min. Lot Size           | 6,500 SF        | 199,069 SF      | Y                 |
| Min. Lot Width          | N/A             | 337             | Y                 |
| Dwelling Units per Acre | 26-50 du/ac     | 20.1            | Y                 |

The subject property complies with the minimum standards for rezoning to R-4 (High Density Residential).

***B) General Analysis and Discussion***

The proposed development will be just south of a commercial development under construction along Lake Mead Boulevard and west of Rock Springs Drive. Sole access to the site will be from Rock Springs. Planned commercial is located to the north, west and east, with a Public Facility to the south. The closest residential development of a similar density to that which is proposed is located north of Lake Mead.

Current and planned development in this area has been or will be limited to two stories in height. The applicant has not show evidence of a hardship that would justify a deviation of standards.

## **FINDINGS**

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

**1. The proposal conforms to the General Plan.**

The proposal does not conform to the General Plan, therefore necessitating the need for the companion General Plan Amendment application GPA-14318.

**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.**

The proposed development, with a height of three stories, will be incompatible with the surrounding neighborhood where buildings are limited to a height of two stories.

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

Growth and development in the area have not indicated a need or a justification for a development that exceeds the height limits of Title 19.

**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.**

Rock Springs Drive has the necessary capacity for a development as proposed.

## **PLANNING COMMISSION ACTION**

Reference to VAR-14900 shall be removed from #3.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

6

**ASSEMBLY DISTRICT** 37

**SENATE DISTRICT** 6

**NOTICES MAILED** 137 by Planning Department

**APPROVALS** 0

**PROTESTS** 0