

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-14315 - APPLICANT: BRIAN EHLERT - OWNER:
WESLEY E. AND SHARON FJARE GLOVER

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-14314) application 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

3. Construct all incomplete half-street improvements on Via Olivero Avenue and OBannon Avenue adjacent to this site 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.
4. 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.
5. Each lot must connect to the public sewer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. 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 application is a request for a Rezoning from R-E (Residence Estates) to R-PD2 (Residential Planned Development 2 Units Per Acre) on 2.37 acres on the north side of Via Olivero Avenue, approximately 320 feet east of Lisa Lane.

EXECUTIVE SUMMARY

The applicant is seeking a rezoning to R-PD2 (Residential Planned Development 2 Units Per Acre), which is intended for the development of detached single-family residences in a suburban setting. The proposed five-lot subdivision depicts an average lot size of 19,528.4 square feet with an overall density of 1.93 units per acre.

The proposed rezoning is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 02/04/87 | The subject parcels were annexed into the City of Las Vegas [A-9-98(A)]. |
| 03/12/92 | The Las Vegas Planning Commission adopted the City of Las Vegas General Plan. The subject parcels are designated for Rural Residential land uses, with a maximum density of 3.5 units per net acre. |
| 11/23/98 | The Las Vegas City Council adopted a General Plan Amendment (GPA-0027-98) to Amend a portion of the Southwest Sector of the General Plan on properties bounded by the Holmby Avenue Drainage Alignment, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive, From: R (Rural Density Residential) To: DR (Desert Rural Density Residential). |
| 07/27/06 | The Planning Commission recommended approval of companion items VAR-14317 and SDR-14314 concurrently with this application. |
| 07/27/06 | The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #73/rl). |

B) *Pre-Application Meeting*

- 03/06/06 The applicant was advised of the submission requirements for the related applications for this project. Public works advised the applicant regarding drainage concerns.
- 05/01/06 A follow-up meeting was held to address the drainage concerns.
- 07/06/06 An additional follow-up meeting was held to discuss the lot design and street access.

C) *Neighborhood Meetings*

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 2.59
Net Acres: 2.37

B) *Existing Land Use*

Subject Property: Undeveloped
North: Single Family Residential
South: Townhouse
East: Single Family Residential
West: Single Family Residential

C) *Planned Land Use*

Subject Property: DR (Desert Rural Density Residential)
North: DR (Desert Rural Density Residential)
South: M (Medium Density Residential)
East: DR (Desert Rural Density Residential)
West: DR (Desert Rural Density Residential)

D) *Existing Zoning*

Subject Property: R-E (Residence Estates)
North: R-E (Residence Estates)
South: R-PD13 (Residential Planned Development 13 Units Per Acre)
East: R-PD2 (Residential Planned Development 2 Units Per Acre)
West: R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southwest Sector of the General Plan with a DR (Desert Rural Density Residential) land use designation, which allows for residential development of up to 2.49 units per acre. The proposed rezoning to R-PD2 (Residential Planned Development 2 Units Per Acre) zoning is district is consistent with the General Plan Designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District	X	
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

The subject property is located in a Rural Preservation Overlay District (RPOD). The RPOD permits a maximum of two units per acre. The proposed density as reflected in the related Site Development Plan Review (SDR-14314) is consistent with the standards of a Rural Preservation Overlay District.

F) Density

<i>EXISTING ZONING</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED ZONING</i>	<i>PERMITTED DENSITY</i>	<i>GENERAL PLAN</i>	<i>PERMITTED DENSITY</i>
R-E	2.18 du/ac	R-PD2	2.49 du/ac	DR	1.93 du/ac

The R-E (Residential Estates) zoning district permits a maximum density of 2.18 units per acre. While the proposed R-PD2 (Residential Planned Development 2 Units Per Acre) zoning district allows up to 2.49 units per acre, the provided site plan depicts a proposed density of 2.0 units per acre.

The proposed R-PD2 (Residential Planned Development 2 Units Per Acre) zoning district complies with the DR (Desert Rural Density Residential) General Plan Designation.

ANALYSIS

A) *Zoning Code Compliance*

A1) Development Standards

Development standards for an R-PD (Residential Planned Development) are determined during the Site Development Plan Review Process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-14314), a related item.

Pursuant to Title 19.06, the following Development Standards apply to the subject proposal:

Standards	Provided
Min. Size	5 acres
Open Space	Not required for less than 12 acres

B) *General Analysis and Discussion*

The site is located in a residential area of the southwest. The applicant is requesting a Rezoning from R-E (Residential Estates) to R-PD2 (Residential Planned Development 2 Units Per Acre). Adjacent development to the north and west is R-E (Residence Estates) zoning, which is similar in density to R-PD2 (Residential Planned Development 2 Units Per Acre) districts. The site abuts a property to the east that is also R-PD2, and to the south, which has R-PD13 (Residential Planned Development 13 Units Per Acre) zoning.

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 proposed zoning district R-PD2 (Residential Planned Development 2 Units Per Acre) conforms to the DR (Desert Rural Density Residential) General Plan designation.

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 R-E (Residence Estates) and R-PD2 (Residential Planned Development 2 Units Per Acre) lots located immediately adjacent to the site, contain homes on lots comparable in size to those proposed by the site plan for this rezoning application. The R-PD13 (Residential Planned Development 13 Units Per Acre) lots located to the south contain smaller lots with homes at a Medium attached density. As such, the single-family units proposed will be compatible with the surrounding area.

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

As the site is surrounded by DR (Desert Rural Density Residential) and M (Medium Density Residential) land use designations, the growth and development factors in the area comply with the intended use for the site. The subject proposal will not cause the site to be over the density intended for the site.

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.

Lot 1 and Lot 2 will each have direct access only to OBannon Drive, a local street with 60-Foot Right of Way. Lots 3, 4 and 5 will have access to Via Olivero Avenue.

PLANNING COMMISSION ACTION

There were two speakers in favor of this application at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 261 by Planning Department

APPROVALS 0

PROTESTS 0