

## AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-14796 APPLICANT/OWNER: MARISELA CARDONA

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

The Planning Commission (7-0 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-14795) 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 half-street improvements including appropriate overpaving on Tonopah Drive 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. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. Offsite public sewer improvements may be required to address capacity issues associated with this project.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
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 is a request for a Rezoning from R-E (Residence Estates) to R-PD5 (Residential Planned Development, 5 Units per Acre) on 1.62 acres at 814 North Tonopah Drive.

**EXECUTIVE SUMMARY**

In order to facilitate infill development, creativity in the application of development standards is often necessary. Rezoning this property to R-PD5 will allow this type of flexibility and enable the applicant to develop a project that is compatible with the surrounding area. As such, Staff supports the request.

**BACKGROUND INFORMATION**

***A) Related Actions***

08/10/06 The Planning Commission recommended approval of companion items VAR-14797, WVR-15056 and SDR-14795 concurrently with this application.

08/10/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/stf).

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

06/14/06 A pre-application meeting with the applicant was held and the following items were discussed:

- Staff gave the applicant a variety of options regarding zoning possibilities for the site.
- Staff informed the applicant of the submittal requirements for the appropriate applicants needed to develop the site.

***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**

Net Acres: 1.62

**B) Existing Land Use**

Subject Property: Single-Family Residential  
 North: Multi-Family Residential  
 South: Single-Family Residential  
 East: Undeveloped  
 West: Multi-Family Residential

**C) Planned Land Use**

Subject Property: MXU (Mixed Use)  
 North: MXU (Mixed Use)  
 South: MXU (Mixed Use)  
 East: MXU (Mixed Use)  
 West: M (Medium Density Residential)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates)  
 North: R-3 (Medium Density Residential)  
 South: R-PD3 (Residential Planned Development 3 Units per Acre)  
 East: R-E (Residence Estates)  
 West: R-3 (Medium Density Residential); R-PD16 (Residential Planned Development 16 Units per Acre)

**E) General Plan Compliance**

The subject site is located within the Downtown Redevelopment Plan area. Within that area, it has a land use designation of MXU (Mixed Use). The Mixed Use designation allows for a mix of uses that are normally allowed within the L, ML, M, H, O, SC, and GC designations. The applicant has requested a change of zoning from R-E (Residence Estates) to R-PD5 (Residential Planned Development 5 Units per Acre). This zoning category complies with the MXU designation.

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	<b>X</b>	
Downtown Redevelopment Plan Area	<b>X</b>	
<b>Special Overlay District</b>	<b>X</b>	
Airport Overlay District	<b>X</b>	
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Overlay District</b>	<b>X</b>	
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>



Downtown Redevelopment Plan Area

The subject site is located within the Downtown Redevelopment Plan area. No additional development standards will be placed on the project as a result of this designation. Rather, this designation targets areas in need of heightened development efforts.

Airport Overlay District

The subject site is located within the North Las Vegas Airport Overlay District which restricts the height of structures to 140 feet. The subject proposal will be well under this maximum height allowed.

Rural Preservation Overlay District

The subject site is located in a Rural Preservation Overlay District buffer area. As such, good cause must be shown to exceed rural density. Staff finds that the fact that surrounding properties far exceed rural level densities represents such good cause for this project.

**F) Density**

<b>EXISTING ZONING</b>	<b>PERMITTED DENSITY</b>	<b>PROPOSED ZONING</b>	<b>PERMITTED DENSITY</b>	<b>GENERAL PLAN</b>	<b>PERMITTED DENSITY</b>
R-E	2.18 du/ac	R-PD5	5.49 du/ac	MXU	N/A

The subject proposal would comply with the General Plan designation as MXU (Mixed Use) allows any residential density.

**ANALYSIS**

***General Analysis and Discussion***

The subject proposal would change the zoning on the subject site from R-E to R-PD5. The surrounding properties have zonings of R-3, R-PD3, and R-PD16. As such, this proposal is consistent with development in the surrounding area. Furthermore, this area has been designated as an area of town that is in need of redevelopment/improvement efforts. A zone change to R-PD5 for an infill single-family residential development promotes this goal.

**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 subject proposal complies with the General Plan as the MXU (Mixed Use) designation allows a variety of uses from low density residential to intense commercial.

**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 surrounding land uses range from low to medium density residential. This proposal will be consistent with the surrounding land uses and zoning districts.

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

As the majority of surrounding properties have been zoned to allow for medium density residential, including multi-family, there is a clear indication that this rezoning is appropriate and compatible with the surrounding area.

**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.**

The site is served by Tonopah Drive and the addition of an eight-lot residential subdivision will not negatively affect this thoroughfares ability to handle traffic flow.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 18

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 219 by Planning Department

**APPROVALS** 0

**PROTESTS** 0