



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - GPA-14325 - APPLICANT: CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES, LLC, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE OCTOBER 4, 2006 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN REESE.

**** CONDITIONS ****

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

**** STAFF REPORT ****

APPLICATION REQUEST

This applicant is a request to amend the Downtown Redevelopment Area Land Use Plan from MXU (Mixed-Use) to C (Commercial) on 1.33 acres at 700, 708, 712, 714 and 716 South 10th Street, and 715 and 717 South 9th Street. The following associated cases will be considered concurrently with this request: ZON-14338, VAR-14342, VAR-14345, VAR-14347, SUP-14339, VAC-12884 and SDR-14349.

EXECUTIVE SUMMARY

The proposed General Plan Amendment is intended to provide a consistent land use designation for the development site, which is currently divided between the C (Commercial) and MXU (Mixed-Use) land use designations. The parcels adjacent to the development site are designated MXU (Mixed-Use) and C (Commercial); as the commercial zoning permitted under either land use designation is similar, the proposed amendment will have little impact on the adjacent properties. However, as the development plan proposed for the site is inconsistent with the development standards of Title 19, staff is unable to support this General Plan Amendment.

BACKGROUND DATA:

- 05/03/72 The City Council approved a Rezoning (Z-0026-72) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for the parcel at 717 S. 9th Street. The Planning Commission recommended approval of the request on 04/13/72.
- 02/06/91 The City Council approved a Rezoning (Z-0150-90) from R-1 (Single Family Residential), R-3 (Medium-Density Residential), R-4 (High-Density Residential), PR (Professional Office and Parking) and C-1 (Limited Commercial) to C-1 (Limited Commercial) for five of the parcels that comprise the subject development. The Planning Commission recommended approval of the request on 01/10/91.
- 03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.
- 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 to match actions taken since 1996.

- 09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Southeast Sector Area as described in the Plan.
- 10/01/03 The City Council approved an amendment (GPA-2497) to Map 9 of the City of Las Vegas Downtown Redevelopment Plan to consolidate all land use categories into four use designations. The subject site was designated as MXU (Mixed-Use).
- 09/07/06 The Planning Commission recommended approval of companion items ZON-14338, VAR-14347, SUP-14339, VAC-12884 and denial of VAR-14342, VAR-14345 and SDR-14349 concurrently with this application.
- 09/07/06 The Planning Commission 4-3 vote on a motion for approval failed to obtain a supermajority vote which is tantamount to DENIAL (PC Agenda Item #17/ff).

DETAILS OF APPLICATION REQUEST

Site Area: 1.33 Acres

EXISTING LAND USE

Subject Property: Single-Family Residential Use
Office Use
General Commercial Use

North: Office Use
South: Office Use
General Commercial Use

East: Single-Family Residential Use
Office Use
General Commercial Use

West: Single-Family Residential Use
Office Use

PLANNED LAND USE

Subject Property: MXU (Mixed-Use) [Proposed: C (Commercial)]
North: MXU (Mixed-Use)
South: C (Commercial)
East: C (Commercial)
West: MXU (Mixed-Use)

EXISTING ZONING

Subject Property: R-4 (High-Density Residential)
 P-R (Professional Office and Parking)
 C-1 (Limited Commercial) [Proposed: C-1 (Limited Commercial)]

North: R-1 (Single Family Residential)
 P-R (Professional Office and Parking)

South: C-1 (Limited Commercial)

East: R-4 (High-Density Residential)
 P-R (Professional Office and Parking)
 C-2 (General Commercial)

West: R-1 (Single Family Residential)
 P-R (Professional Office and Parking)

<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

The development site is located within the boundaries of the Las Vegas Redevelopment Plan area, and currently has an MXU (Mixed-Use) land use designation. This application proposes to change the designation to C (Commercial).

<i>EXISTING GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED GENERAL PLAN DESIGNATION</i>	<i>PERMITTED DENSITY</i>
MXU	N/A	C	N/A (Proposed Density: 170.7 du/ac)

No residential density limits are specified for either the MXU (Mixed-Use) or C (Commercial) land use designations. The proposed density of the project will be 170.7 dwelling units per acre.

DEFINITIONS

MXU (Mixed-Use) The Mixed-Use category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

C (Commercial) The Commercial category allows for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

INTERAGENCY ISSUES

SPECIAL PLAN AREA

The subject site is located within the Las Vegas Redevelopment Plan area. The effect of this Special Plan Area on this application and the area affected by this application is to make the land use designation consistent for the entire development site, as it is currently split between the MXU (Mixed-Use) and C (Commercial) land use designations.

ANALYSIS

The proposed General Plan Amendment is intended to provide a consistent land use designation for the development site, which is currently divided between the C (Commercial) and MXU (Mixed-Use) land use designations. The parcels adjacent to the development site are designated MXU (Mixed-Use) and C (Commercial); as the commercial zoning permitted under either land use designation is similar, the proposed amendment will have little impact on the adjacent properties.

The development proposal for the site includes approximately 18,000 square feet of commercial space and 350 residential units. Neither the MXU (Mixed-Use) nor the C (Commercial) land use designations specify a residential density limit; as proposed, the development will result in a density of 170.7 dwelling units per acre. This density is similar to many of the mixed-use projects that have been proposed for the Downtown Centennial Plan area, most of which have been in the range between 50 and 350 dwelling units per acre. However, this project is located outside of the Centennial Plan area, and is immediately surrounded by a low-scale professional office area to the north, and a single-family residential neighborhood located on the south side of Charleston Boulevard. As such, the project will be out of scale with the existing development. In addition, multiple Variances and Waivers have been requested for the project, which implies that the project is inappropriate for its location.

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 development site abuts properties that are designated C (Commercial) to the east and south, and MXU (Mixed-Use) to the north and west. As the MXU (Mixed-Use) land designation permits both residential and commercial zoning, the intensity of development that will result from the requested change is generally consistent with the existing adjacent land use designations.

In regard to 2:

The proposed C (Commercial) land use designation will permit P-R (Professional Office and Parking), O (Office), C-1 (Limited Commercial), and C-2 (General Commercial) zoning to be applied to the subject parcels. This is the same zoning that would be allowable under the existing MXU (Mixed-Use) land use designation; consequently, the requested change is compatible with the existing districts.

In regard to 3:

The site immediately abuts Charleston Boulevard, a 100-Foot Primary Arterial as designated on the Master Plan of Streets and Highways, and has adequate capacity to serve the proposed development. The remainder of the site is bordered by 70- and 80-foot wide local streets, which may be impacted by the intensity of the development plan. Recreation facilities in the downtown area are somewhat limited, although long-range plans call for the development of parks and urban trails within the developed core of the city. Utilities are generally adequate to service the proposed development; the applicant will be responsible for any upgrades that may be necessary.

In regard to 4:

While the proposed change in the land use designation is generally consistent with adopted plans and policies, the proposed development is inconsistent with Title 19 development standards, and staff is unable to support the amendment.

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 5 July 2006, a neighborhood meeting sponsored by the applicant was held at the Las Vegas Senior Center. There were a total of 33 members of the public in attendance, and the following comments and concerns were offered:

- The parking variance may further impact limited parking in the downtown area;
- The intensity of the development may impact the street network to the north of the development site;
- Construction noise will impact adjacent residential neighborhoods;
- The scale of the development may exhaust the current capacity of utilities in the area;
- The height of the proposed towers may shade abutting neighborhoods;
- Additional recreation facilities will be needed for residents of the development.

PLANNING COMMISSION ACTION

There was one speaker in favor and one opposed at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 295 by Planning Dept

APPROVALS 3

PROTESTS 1