



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-16140 - APPLICANT/OWNER: WILLIAM B. PALMER II AND ROSELLE J. PALMER

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/sd vote) recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks to change the General Plan land use designation of the subject property on 0.76 acres at 2320 Potosi Street from DR (Desert Rural Density Residential) to O (Office). The following associated cases will be considered concurrently with this request: ZON-16141, SDR-16139 and VAR-16533.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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 Desert Rural Density Residential land uses (if residential) with a maximum density of 2.49 dwelling units per acre.
02/06/91	The City Council denied a Rezoning (Z-148-90) from R-E (Residential Estates) to P-R (Professional Offices and Parking). Planning Commission recommended denial.
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 match actions since 1996.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Revitalization Area as described in the Plan.
10/05/06	The Planning Commission recommended approval of companion items ZON-16141, VAR-16533 and SDR-16139 concurrently with this application. The Planning Commission voted 6-0-1/sd to recommend APPROVAL (PC Agenda Item#25/rl).
<i>Pre-Application Meeting</i>	
08/04/06	The applicant was requested to submit a Rezoning and Site Development Plan Review including landscape waivers. Also, the applicant was informed that a Variance would be required for the location of the trash enclosure.

<i>Neighborhood Meeting</i>	
08/31/06	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 August 31, 2006 a neighborhood meeting sponsored by the applicant was held. Seven persons attended had the following comments: • Will the proposed structure comply with setbacks? (The applicant responded that the building would be in compliance) • Are there any required easements on the site? • Don't want there to be any additional traffic in the residential neighborhood (Mohawk Street). • Allowing the P-R conversion is one step closer to allowing commercial uses to encroach upon the residential neighborhood. • Is the one-story height of the proposed structure consistent with the residential structures in the neighborhood? • Will the proposed structure look like a residence? (The applicant stated that the structure was designed to be 16 to 18-Feet in height and look like a residential structure, so it would blend with the single-family properties that surround it on three sides.) • When will construction start? When will demolition of the existing structure begin? (The applicant responded that construction would probably not start until July 2007, with demolition to precede site grading.) • Concerns were expressed regarding construction noise and dust control. • One resident stated that their principal concern was relative to the traffic that would be generated by the proposed use.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.76
Net Acres	0.73

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning	
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)	
North	Single Family Residential	DR(Desert Rural Density Residential)	R-E (Residential Estates)	
South	Parking Lot	SC (Service Commercial)	P-R (Professional Office and Parking)	
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)	
West	Group Quarters Facility, Single Family Residential	DR (Desert Rural Density Residential), Unincorporated Clark County	R-E (Residential Estates), Unincorporated Clark County	
Special Districts/Zones		Yes	No	Compliance
Special Area Plan			N	Y
Special Districts/Zones		Yes	No	Compliance
Special Purpose and Overlay Districts			N	Y
Trails			N	Y
Rural Preservation Overlay District			N	Y
Development Impact Notification Assessment			N	Y
Project of Regional Significance			N	Y

DEVELOPMENT STANDARDS

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residential Estates)	2.18	1	P-R (Professional Office and Parking)	0	O (Office)	0

ANALYSIS

The request is for a General Plan Amendment from DR (Desert Rural Density Residential) to O (Office). The existing land use designation **DR (Desert Rural Density Residential)** (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals. The subject site is an infill site surrounded by single-family residential and commercial development.

The O (Office) land use designation provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

The subject site fronts Potosi Street which is primarily commercial, however, it extends like a finger from Potosi Street into a low density residential neighborhood and therefore it is not compatible with the surrounding land uses.

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:

While the proposed land use designation of O (Office) is compatible with the other properties which front Potosi Street, the site plan indicates a 9,300 square foot office building setback 169 Feet from the frontage and surrounded on three sides by residential designations of R-E (Residential Estates) to the north and west and L (Low Density Residential) to the east. The placement of this building requires a Variance as it fails to meet the setbacks from the residential uses while it is setback considerable from the compatible uses. Therefore the proposed General Plan Amendment is deemed incompatible with existing adjacent land use designations.

In regard to 2:

The request for rezoning to P-R which accompanies this General Plan Amendment would establish a long, narrow finger of commercial development bordering eight low-density residential parcels. The proposed structure would be setback to the tip of the finger at least 169 Feet removed from compatible commercial uses, and will require a variance for residential adjacency requirements.

In regard to 3:

Potosi Street is developed as primarily commercial in nature and will provide adequate access to the site without impeding on the adjacent residential uses.

In regard to 4:

The proposed amendment fails to conform to other applicable adopted plans and policies that include approved Title 19.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 86 by Planning Department

APPROVALS 0

PROTESTS 0