



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-16141 - APPLICANT/OWNER: WILLIAM B. PALMER II AND ROSELLE J. PALMER

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-16140) to an O (Office) 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-16139) 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

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards 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. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks to change the zoning of the subject property on 0.76 acres at 2320 Potosi Street from R-E (Residential Estates) to P-R (Professional Office and Parking). The following associated cases will be considered concurrently with this request: GPA-16140, SDR-16139 and VAR-16533.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/91	The City Council denied a Rezoning (Z-148-90) from R-E (Residential Estates) to P-R (Professional Office and Parking) on the subject site. Planning Commission recommended denial.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
10/05/06	The Planning Commission recommended approval of companion items GPA-16140, VAR-16533 and SDR-16139 concurrently with this application. The Planning Commission voted 6-01/sd to recommend APPROVAL (PC Agenda Item#26/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

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		N	Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
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

Pursuant to Title 19.08 the Following Standards Apply

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	31,799 SF	Y
Min. Lot Width	60 Feet	100 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 5 Feet 15 Feet 15 Feet	169 Feet 10 Feet NA 15 Feet	Y
Max. Lot Coverage	50%	29%	Y
Max. Building Height	15 Feet	14.5 Feet	Y
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	54 Feet	10 Feet	N
Adjacent development matching setback	35 Feet	10 Feet	N
Trash Enclosure	50 Feet from Residential	20 Feet from Residential	N

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

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	5 Trees	4 Trees	N
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	38 Trees	38 Trees	Y
TOTAL		43 Trees	42 Trees	N
Min. Zone Width	Sides 8 Feet Rear 15 Feet		8 Feet 15 Feet	Y
Wall Height	6 8 Feet		Not Shown	NA

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	9,300	1/300	29	2	29	2	Y
TOTAL			31		31		Y

ANALYSIS

The subject property is located in the Southeast Sector of the General Plan and has a land use designation of DR (Desert Rural Density Residential). An accompanying application requests a change to an O (Office) land use designation. The proposed zoning of P-R (Professional Office and Parking) is compatible with the O (Office) land use designation.

The purpose of the P-R (Professional Office and Parking) is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional contact. To decrease the impact to adjacent residential uses, single family structures should be retained or new development in the P-R District should be constructed to maintain a residential character.

The proposed site plan and the related Variance from residential adjacency fail to meet this last intention that single family structures be retained or new development be constructed to maintain residential character. Rather than orienting to the street frontage, the proposed structure is oriented far to the rear of the subject site, requiring setback variances for residential adjacency and height proximity. The placement and size of the building maximizes the impact upon the residential character of the neighborhood instead of minimizing same. As such, staff recommends denial.

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 O (Office) General Plan 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. P-R (Professional Office and Parking) is an appropriate zoning district for the O land use 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.

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 waivers as it fails to meet the setbacks from the residential uses while it is setback considerable from the compatible uses. Therefore the proposed Rezoning is deemed incompatible with existing adjacent land use designations.

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

The area is largely developed, as was intended, with residential uses. The subject site is the only parcel on Potosi Street that is north of the vacated Via Olivero alignment, the boundary between commercial and residential uses. As such, while the property does indeed front a commercial street, it is almost entirely surrounded by existing single family homes and one group residential facility. The growth and development factors existing at this location do not indicate a need nor an appropriateness of this rezoning.

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 parcel is accessed by Potosi Street which is adequate to meet the requirements of the proposed rezoning.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 86 by Planning Department

APPROVALS 0

PROTESTS 0