

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 15, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-15371 - APPLICANT: SCA DESIGN - OWNER: HILLBILLY ACRES

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 1, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-1/se vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.

Public Works

2. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
3. Construct half-street improvements, including appropriate overpaving, on Paniflow Street and Mcknight Street 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. 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).
4. Extend public sewer in Paniflow Street from Harris Avenue to the southern edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. 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.
5. 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-3 (Medium Density Residential) on 1.69 acres adjacent to the west side of Paniflow Street, approximately 250' south of Harris Avenue. A related Variance (VAR-15373) and Site Development Plan Review (SDR-15375) will be considered concurrently.

EXECUTIVE SUMMARY

The R-3 (Limited Multiple Residence) District is consistent with the M (Medium Density Residential) Master Plan designation of the subject site. A change to R-3 would also be consistent with surrounding multi-family residential uses, and also follow the trend of the area.

BACKGROUND INFORMATION

A) Related Actions

10/05/06 The Planning Commission recommended denial of companion item VAR-15373 and SDR-15375 concurrently with this application.

10/05/06 The Planning Commission voted 6-1/se to recommend APPROVAL (PC Agenda Item #15/ar).

B) Pre-Application Meeting

07/07/06 At the pre-application meeting, staff informed the applicant of the setback, residential adjacency, and landscaping requirements of the proposed development. Staff also noted that there are parcel lines on this site which will need to be eliminated prior to any construction.

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: 1.69

B) Existing Land Use

Subject Property: Undeveloped
 North: Single Family Dwellings
 South: Undeveloped
 East: Apartments
 West: Single Family Dwellings.

C) Planned Land Use

Subject Property: M (Medium Density Residential)
 North: M (Medium Density Residential)
 South: M (Medium Density Residential)
 East: M (Medium Density Residential)
 West: L (Low Density Residential)

D) Existing Zoning

Subject Property: R-E (Residence Estate)
 North: R-E (Residence Estate)
 South: R-E (Residence Estate)
 East: R-3 (Medium Density Residential)
 West: R-3 (Medium Density Residential)

E) General Plan Compliance

The subject property is located in the Southeast Sector of the General Plan and has a land use designation of M (Medium Density Residential). This designation allows up to 25 units per acre and a variety of multi-family housing options. The proposed zoning of R-3 (Medium Density Residential) is compatible with the land use designation.

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

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	2.0 du/ac for a total of 3.38 units	R-3	25.0 du/ac for a total of 42.25 units	M	25.49 du/ac for a total of 43.08 units

The proposed change in density is in compliance with the general plan designation

ANALYSIS

A) General Analysis and Discussion

The purpose of the R-3 (Limited Multiple Residence) District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Limited Multiple Residence) District is consistent with the policies of the M (Medium Density Residential) category of the Master Plan. A change to R-3 would also be consistent with surrounding multi-family residential uses, and also follow the trend of the area.

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 R-3 (Medium Density Residential) zone would be in conformance with M (Medium 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 proposed 36-unit multi-family residential project is not compatible with the surrounding area, as it does not meet development standards of Title 19. A revised multi-family project which conformed to Title 19 would be compatible with the surrounding land uses. The surrounding land uses include existing multi-family development to the east and south and proposed multi-family development to the west.

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

The community is in need of affordable housing opportunities. This project will help in providing an affordable product to individuals that could not otherwise afford housing.

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 proposed development gains access off of Paniflow Street, adjacent to Harris Avenue. These are both standard city streets. The streets surrounding the development will provide adequate access to and from the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 61 by Planning Department

APPROVALS 0

PROTESTS 0