

*City of Las Vegas*

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: APRIL 4, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: GPA-13885 - GENERAL APPLICANT/OWNER: JOSE SANDOVAL**

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**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a Request to Amend a portion of the Southeast Sector of the General Plan from: L (Low Density Residential ) to: M (Medium Density Residential) on 0.38 acres at 2750 Harris Avenue.

**EXECUTIVE SUMMARY**

This application seeks to change the General Plan land use designation of the subject property located at 2750 Harris Avenue from L (Low Density Residential ) to M (Medium Density Residential). This item will be accompanied by the following applications:

**ZON-13889** This is a request to rezone the subject property from R-E (Residence Estates to R-3 (Limited Multiple Residence). Staff recommends approval.

**VAR-13888** This is a request to allow a front yard setback of eight feet where 20 feet is required, a rear yard setback of eight feet where 20 feet is required and a residential adjacency setback of eight feet where 66 feet is required. Staff recommends denial.

**SDR-13886** This is a request for an eight unit apartment complex on 0.38 acre. Staff recommends denial.

**BACKGROUND DATA:**

- |          |   |
|----------|---|
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan.  |
| 08/18/99 | The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre. |
| 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 Southeast Sector Area as described in the Plan.   |

07/13/06 The Planning Commission recommended approval of companion item ZON-13889 and denial of companion items VAR-13888 and SDR-13886 concurrently with this application.

07/13/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #31/ejb).

**DETAILS OF APPLICATION REQUEST**

Site Area: 0.38 Net Acres

**EXISTING LAND USE**

Subject Property Single Family Residence  
 North Elementary School  
 South Single Family Residence  
 East Single Family Residence  
 West Single Family Residence

**PLANNED LAND USE**

Subject Property L (Low Density Residential) proposed M (Medium Density Residential)  
 North PF (Public Facilities)  
 South L (Low Density Residential)  
 East M (Medium Density Residential)  
 West L (Low Density Residential)

**EXISTING ZONING**

Subject Property R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)  
 North C-V (Civic)  
 South R-E (Residence Estates)  
 East R-E (Residence Estates)  
 West R-E (Residence Estates)

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>YES</b>	<b>NO</b>
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

The subject site is not associated with any Special Plan Area and is not located within the Rural Preservation Overlay District.

<i><b>EXISTING GENERAL PLAN DESIGNATION</b></i>	<i><b>PERMITTED DENSITY</b></i>	<i><b>PROPOSED GENERAL PLAN DESIGNATION</b></i>	<i><b>PERMITTED DENSITY</b></i>
L	5.49 du/ac	M	25.49 du/ac

The subject requests proposes to change the land use designation on the subject parcel from L (Low Density Residential), which allows up to 5.49 dwelling units per acre to M (Medium Density Residential), which allows up to 25.49 dwelling units per acre.

### **DEFINITIONS**

***RNP (Rural Neighborhood Preservation)*** (Zero to 2.0 dwelling units per acre). The predominant residential lifestyle of these areas 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.

In accordance with an interlocal agreement signed January 2, 2002, the City and Clark County designate those areas recognized for the above-described lifestyle as Rural Neighborhood Preservation areas. These areas are shown on Map 3 of the Centennial Hills Sector Plan. The Interlocal describes areas within the Centennial Hills Sector as Excepted Areas. The Excepted Areas are those that will be annexed in to the City only by request of the individual property owners. Map 3 shows a boundary that encompasses those parcels that are within the Excepted Areas of the Interlocal and represents the limits of the Rural Neighborhood Preservation neighborhoods.

Parcels in the excepted areas at the time of the signing of the Interlocal shall remain Rural Neighborhood Preservation areas whether the parcels annex into the city or not.

***L (Low Density Residential)*** (3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

***M (Medium Residential)***(12.5 to 25.49 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25.49 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

## INTERAGENCY ISSUES

No special planning areas are associated with the proposed site.

## ANALYSIS

The parcel proposed to be redesignated to M (Medium Density Residential) is composed of one, 16,550 square foot residential lot. The site gains access to Harris Street, which also serves an elementary school across the street to the north and multi-family units to the east and west. The subject property abuts vacant land to the west planned for L (Low Density Residential) uses. In addition, lands to the south of the subject property are designated L (Low Density Residential), many of which are also vacant. These properties are surrounded on the east, west and south sides by M (Medium Density Residential), and are occupied by multi-family residences.

## 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 proposed M (Medium Density Residential) designation is an appropriate land use for the subject area, given the sites location adjacent to existing M (Medium Density Residential) to the east. Properties to the west and south are designated L (Low Density Residential); however, there is additional existing M (Medium Density Residential) to the south and east of the subject parcel and the trend in the area is to higher density uses.



In regard to 2:

The proposed rezoning to R-3 (Medium Density Residential) would allow up to 25.49 units per acre adjacent to single-family development on the west and south. However, as long as any proposed project conforms to the R-3 (Medium Density Residential) standards of the Zoning Code (especially concerning bulk, height and setback requirements), the impact to these properties should be minimal.

In regard to 3:

There will be adequate transportation, recreation, utility, and other facilities to accommodate any proposed multi-family residential project. Upon future development of the property, all necessary off-site improvements will be required. The site is serviced by the Northeast Area Command of the Las Vegas Metropolitan Police Department with a substation approximately 0.5 mile from the subject site at 831 North Mojave. Fire Station #8, which is approximately two miles away at 805 North Mojave Road, is the closest city facility to the site. Freedom Park, at 850 North Mojave, is the closest city park to the site.

In regard to 4:

There are no other adopted plans or policies that apply to this application.

### **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 06/20/06 a neighborhood meeting sponsored by the applicant, Jose Sandoval, was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 11

**ASSEMBLY DISTRICT** 28

**SENATE DISTRICT** 2

**NOTICES MAILED**            92 by Planning Department

**APPROVALS**                0

**PROTESTS**                 0