

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-13889 - APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

The Planning Commission (5-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-13885) to M (Medium Density Residential) 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-13886) 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. Dedicate a 15 foot radius on the southwest corner of Harris Avenue and McKnight Street. Also a Quit Claim deed must be recorded to correct the rights-of-way along Harris Avenue and McKnight Street prior to the approval of construction drawings or the issuance of any permits for this site. Contact the Right-of-Way section of the Department of Public Works for assistance in preparing the needed documents.
5. Construct all incomplete half-street improvements on Harris Avenue and McKnight Street adjacent to this site concurrent with development of this site.
6. Extend public sewer in McKnight Street 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.
7. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths 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 ****

APPLICATION REQUEST

This application is a Request for a Rezoning from: R-E (Residence Estates) to: R-3 (Medium Density Residential) on 0.38 acre at 2750 Harris Avenue.

EXECUTIVE SUMMARY

The site consists of a single parcel that is currently occupied by a single-family home. The request is compatible with medium density development to the east, west and south of the subject parcel, and is located in a pocket of R-E (Residential Estates) lots, over half of which are vacant. Staff recommends approval, subject to approval of the related Master Plan Amendment to an M (Medium Density Residential) land use designation on a portion of the site and a Site Development Plan Review application for development of the overall site.

BACKGROUND INFORMATION

A) Related Actions

- 08/16/06 The City Council denied this request along with companion requests for a General Plan Amendment (GPA-13885), a Variance (VAR-13888), and a Site Development Plan Review (SDR-13886). The Planning Commission and staff recommended approval.
- 02/15/07 The Planning Department received notice from the City Council office that this request along with companion requests for a General Plan Amendment (GPA-13885), a Variance (VAR-13888), and a Site Development Plan Review (SDR-13886) were to be rescinded and reheard. The items were placed on the 04/04/07 City Council agenda.
- 03/13/07 The Planning Department received revised plans for the subject property. The plans show a new design that includes a reduction in the number of units and an increase in the building height.

B) Pre-Application Meeting

- 05/17/06 A pre-application meeting was held to discuss the applicable General Plan Amendment, Rezoning, Site Development Plan Review and Variance on the subject property.

C) *Neighborhood Meetings*

06/20/06 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

D) *Code Enforcement Information*

Code Enforcement indicates that there is an open violation of an illegally un-permitted structure on the subject property. The violation has been ongoing since 03/07/06. Code Enforcement also indicates that they are in the process of citing the owner for the subject violation.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.38 Acres

B) *Existing Land Use*

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

C) *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)

D) *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)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an L (Low Density Residential) land use designation, which allows for residential development of up to 5.49 dwelling units per acre. A concurrent application proposed to amend the General Plan to M (Medium Density Residential) which allows for density up to 25.49 dwelling units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the proposed Medium Density Residential General Plan designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		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	2.49 du/ac 0.95 total units on 0.38 acres	R-3	25.49 du/ac 9.69 units on 0.38 acres	L	5.49 du/ac

The subject request proposes to change the zoning from R-E (Residential Estates) to R-3 (Limited Multiple Residence). There is an accompanying General Plan Amendment (GPA-13885) proposal to change the 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.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 Square Feet	16,550 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	5 Feet	20 Feet	Y
• Corner	5 Feet	50 Feet	Y
• Rear	20 Feet	15 Feet	N
Max. Building Height	2 Stories / 35 Feet	3 Stories/ 33 Feet	N

The applicant has requested an accompanying Variance (VAR-13888) to allow for a ten-foot front yard setback where 20 feet is the minimum required and a rear yard setback of 15 feet where 20 feet is the minimum required.

B) 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. The applicant has submitted a companion General Plan Amendment (GPA-13885) to change the planned land use designation from L (Low Density Residential) to M (Medium Density Residential). The request is appropriate, as there are existing multi-family development to the east, south and west of the area of vacant land and sporadic single-family homes that the subject parcel sits within. An elementary school occupies the parcel to the north across Harris Avenue. A change to R-3 would 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.

There is a companion General Plan Amendment (GPA-13885) with this item. The request is for M (Medium Density Residential) land use designation. The R-3 (Limited Multiple Residence) zone would be in conformance with this General Plan designation. With approval of the General Plan Amendment (GPA-13885) the proposal will be in conformance with the General Plan.

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 six-unit multi-family residential project will be compatible with the surrounding area. The General Plan reflects M (Medium Density Residential) on the eastern side of the project site and PF (Public Facility) to the north.

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 McKnight 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 92 by Planning Department

APPROVALS 0

PROTESTS 0