



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 11, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-20470 - APPLICANT/OWNER: AHP NEVADA, INC.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-20466) to a 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-20468) 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. Construct all incomplete half-street improvements, including transitional paving, on Delhi Avenue and Tioga Way 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.
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 ****

PROJECT DESCRIPTION

The project is a request for a Rezoning from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-3 (Medium Density Residential) on a 3.99 acre site located at 3450 North Buffalo Road. Staff does not support the request as the zone change will allow for a more intense use that does not fit within the rural residential character of the project area. Staff recommendation is for denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/25/1997	The Board of Zoning Adjustment considered and approved an Extension of Time for an approved Special Use Permit (UC-91-95) allowing a convalescent care facility at the east side of Buffalo Drive bounded by Ruby Valley and Tioga Way. Staff recommended approval.
12/19/1996	The project site was incorporated into the city as part of an Annexation approved by the Planning Commission. The action was effectuated on 3/19/1997.
9/26/1996	The project site was incorporated into the city as part of an Annexation [A-0010-96(A)] and was approved by the Planning Commission for an approximately 2.5 acre area of land.
06/14/07	The Planning Commission recommended approval of companion items GPA-20466, VAR-21139, SUP-20471 and SDR-20468 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #13/ja).
<i>Related Building Permits/Business Licenses</i>	
7/17/2001	A business license was issued by Business Licensing for a Cosmetology Establishment (B05-02813-6-09383). The license is currently active.
11/13/1998	An active business license was issued by Business Licensing for a Nursing Home (N04-00009-2-081886). The license is currently active.
<i>Pre-Application Meeting</i>	
02/13/2007	A Pre-application meeting was held with the applicant and Planning staff advised of the General Plan, Zoning, and Special Use Permit requirements applicable to the proposed project.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request			
Site Area			
Net Acres	3.99 acres		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Convalesent Care	Rural Density Residential (General Plan Designation)	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] Proposed to R-3 (Medium Density Residential)
North	Private School	Rural Density Residential	Clark County/ R-E (Rural Estates)
South	Single-family Residential and Commercial Office	Rural Density Residential	Clark County/ R-E (Rural Estates)
East	Single-family Residential	Rural Density Residential	Clark County/ Single-family Residential
West	Single-family Residential	Medium Low Density Residential	U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation]

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Centennial Hills	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Northwest Openspace	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following residential development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500	94,733	Y
Min. Lot Width	NA	NA	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	20 feet 5 feet 5 feet 20 feet	120 feet 30 feet 81 feet 64 feet	Y
Min. Distance Between Buildings	10	NA	Y
Max. Lot Coverage	NA	NA	Y
Max. Building Height	2 stories or 35 feet, whichever is less	22 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Yes	Yes	Y

Existing Zoning	Permitted Density	Units Allowed
U (Undeveloped)	NA	NA
Proposed Zoning	Permitted Density	Units Allowed
R-3 (Medium Density Residential)	25.49 du/per acre	NA
General Plan	Permitted Density	Units Allowed
R (Rural Density Residential) Proposed M (Medium Density Residential)	25.49 du/per acre	NA

Pursuant to Title 19.12 the following landscape standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/ 6 Spaces	24 Trees	10 Trees	N
Buffer: Min. Trees	1 Trees/30 Linear Feet along public right-of- way 1 Trees/20 Linear Feet along residential property lines	7 Trees 10 Trees 10 Trees	12 Trees 10 Trees 10 Trees	Y
TOTAL		51	42	N*

Min. Zone Width	15 Feet along Right-of-Way 10 Feet along interior lot lines	8 feet north property line 7.5 feet east property line 20 feet interior lot line	N
Wall Height	8 Feet	8 feet existing along south property line	Y

*Staff finds that there is adequate room in the parking lot to provide nine additional 24 inch box trees within minimum five foot wide finger planters, and has addressed this issue in condition number 5.

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			Regular	Handi-capped	Regular	Handi-capped	
			Convalescent Care Facility	154 beds	One space for each 6 beds, plus one space for each employee on the largest shift, plus 3 spaces for use by medical professionals	26 for beds 27 employees 5 medical professional 58 total	
SubTotal			58		139		
TOTAL			58		139		
Loading Spaces			4		4		
Percent Deviation							

ANALYSIS

The request is associated with the proposed Site Development Review (SDR-20468) which will result in the expansion of a Community Service and Institutional (Convalescent Care Center) use subject to the density limits (number of beds per acre) of Title 19.04 - Special Use Permit Requirements. Within the R-3 (Medium Density Residential) zone Convalescent Care Facilities are limited to no more than 50 beds per acre. The proposal will result in the addition of 36 beds for a total of 154 beds (or 38 beds per acre) on the 3.99 acre parcel.

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 zone change will allow for an increase in development intensity within an area characterized by low density residential uses. This intensification of use is considered unacceptable within this community and as such staff recommendation is for denial.

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 potential effects of the zone change are not considered appropriate given existing development surrounding the project parcel is categorized as rural.

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

No evidence is present that supports the need for the zone change. The rezone will not conform with the General Plan and Centennial Hills Sector Plan goal of maintaining the integrity of rural residential districts.

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.

Public roadways are adequate.

PLANNING COMMISSION ACTION

Note: City Council may remove condition #2.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 248 by Planning Department

APPROVALS 0

PROTESTS 0