



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 1, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-21602 - APPLICANT/OWNER: CRAIG WASSERMAN

THIS ITEM WAS HELD IN ABEYANCE FROM THE JULY 11, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. R-4 Zoning is hereby approved.

Public Works

2. Sign a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants) on Monroe Avenue adjacent to this site. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City.
3. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
4. Upon development/redevelopment of the property, appropriate street improvements, drainage mitigation and traffic mitigation commitments may be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Rezoning from C-2 (General Commercial) to R-4 (High Density Residential) on 0.16 acres at 210 West Monroe Avenue. The project site contains 2 one-story structures comprising 3 dwelling units; 1 single-family unit at the front of the subject parcel and a duplex at the rear portion of the lot. No new development or expansion of existing structures is proposed with this project request. The zone change to R-4 is consistent with the General Plan and the MXU land use designation.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/14/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #5/ja).
<i>Related Building Permits/Business Licenses</i>	
NA	
<i>Pre-Application Meeting</i>	
04/20/07	A Pre-Application Meeting was held where Planning staff advised the applicant of the Rezoning requirements.
<i>Neighborhood Meeting</i>	
NA	
<i>Field Check</i>	
05/10/07	A site visit was conducted to the project parcel which is developed with two residential structures and is entirely fenced and gated with an approximately 8-foot tall wrought iron fence.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.16 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-family residential	MXU: Mixed-Use	C-2: General Commercial
North	Multi-family residential	MXU: Mixed-Use	C-2: General Commercial
South	Undeveloped vacant parcel	MXU: Mixed-Use	R-3: Medium Density Residential
East	Multi-family residential	MXU: Mixed-Use	C-2: General Commercial
West	Undeveloped vacant parcel	MXU: Mixed-Use	C-2: General Commercial

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Please note the applicable code section here (19.08, 19.06, etc.)

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 square feet	7,103 square feet	Y
Min. Lot Width	NA	45 feet	NA
Min. Setbacks			
• Front	20 feet	39	Y
• Side	5 feet	5	Y
• Corner	NA	NA	Y
• Rear	20 feet	32	Y
Min. Distance Between Buildings	10 feet	25 feet	Y
Max. Lot Coverage	NA	25 percent	NA
Max. Building Height	2 stories/35 feet	1 story	Y

Existing Zoning	Permitted Density	Units Allowed
C-2 : General Commercial	0 Units Per Acre	0 Units
Proposed Zoning	Permitted Density	Units Allowed
R-4: High Density Residential	>25.5 Units per acre	3 units
General Plan	Permitted Density	Units Allowed
MXU	>25.5 Units per acre	3 units

ANALYSIS

The applicant is seeking a Rezoning from C-2 (General Commercial) to R-4 (High Density Residential) which allows greater than 25.5 dwelling units per acre. Three dwelling units currently exist on the subject parcel. Although the current zoning is consistent with the designated MXU land use, the existing residential use does not conform with the permitted uses allowed for the underlying C-2 district. The Rezone will allow the existing multi-family residential site to conform to Title 19.02 congruent with the MXU General Plan land use designation.

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 Rezone will allow the existing residential use to conform with the MXU General Plan land use designation and is consistent with the General Plan goal of maintaining mature neighborhoods.

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 existing residential use of the subject property is permitted in the R-4 zoning district and will be compatible with adjacent land use.

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

The proposed Rezoning is appropriate as it will bring the non-conforming use into compliance.

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 project site has adequate vehicular access along Monroe Avenue and the public alley.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 147 by Planning Department

APPROVALS 2

PROTESTS 1