

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 3, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-22560 - APPLICANT: KATHI MACDONALD - OWNER:
ROBERT & NETA GARSIDE

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 19, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to amend a portion of the Centennial Hills Sector Plan of the General Plan from the DR (Desert Rural Density Residential) Land Use Category to the SC (Service Commercial) Land Use Category on 0.53 acres located at 4309 Thom Boulevard.

The following applications for a Rezoning (ZON-22562) and Site Development Plan Review (SDR-22557) will be heard concurrently. The applicant has requested a Waiver to allow the building placement to be oriented towards the back of the street and a reduction in tree placement on the north and south sides of the structure. As the proposed Indoor Recreation Facility use is compatible with the adjacent commercial uses and the nearby residential uses, staff is recommending approval.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
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| 8/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Residential land uses with a maximum density of three dwelling units per acre. |
| 3/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 5/24/99 | The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map. |
| 8/18/99 | 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 |
| 9/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developed Area as described in the Plan. |
| 2/19/03 | The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for DR (Desert Rural) land uses, with a maximum density of 2.49 dwelling units per acre. |
| 08/09/07 | The Planning Commission recommended approval of companion items ZON-22562 and SDR-22557 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11/mh). |

Related Building Permits/Business Licenses

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| 2/07/02 | Plan Check #M-0239-01: Permit pulled for the construction of a carport. Work completed 2/7/02. |
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Pre-Application Meeting

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| 5/30/07 | Staff met with the applicant and her representative to discuss the requirements for developing an indoor swim school at 4309 Thom Boulevard. Staff briefed the applicant regarding the requirements for a General Plan Amendment from a residential to commercial land use, the necessary rezoning, and the design standards required for the proposal. |
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Neighborhood Meeting

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| 6/27/07 | <p>Meeting held at the Centennial Academy, 6610 Grand Montecito Pkwy, at 6pm. Four citizens attended and voiced their concerns regarding the following:</p> <ol style="list-style-type: none"> 1. Site access and its impact on traffic; 2. The demolition of existing residential structure on property; 3. The decrease in value of residential property; 4. The alley should be gated; 5. And opposition to a change to a commercial land use |
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Field Check

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| 6/20/07 | <p>The Department of Planning and Development conducted a site visit and made the following observations:</p> <ol style="list-style-type: none"> 1. The site is currently occupied with a single family dwelling and accessory structure. 2. The adjacent development to the south and west appear to be mainly rural single family homes. 3. The adjacent development to the north (animal hospital) and east (Child Care Facility parking lot) appear to be mainly low-intensity commercial. |
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Details of Application Request

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| <i>Site Area</i> | |
| Net Acres | 0.53 acres |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|----------------------|------------------------|-------------------------|--|
| Subject Property | Single Family Dwelling | DR (Desert Rural) | R-E (Residence Estates) |
| North | Animal Hospital | SC (Service Commercial) | R-E (Residences Estates) with an ROI to C-1 (Limited Commercial) |
| South | Child Care facility | SC (Service Commercial) | C-1 (Limited Commercial) |
| East | Child Care facility | SC (Service Commercial) | C-1 (Limited Commercial) |
| West | Single Family Dwelling | DR (Desert Rural) | R-E (Residence Estates) |

| <i>Special Districts/Zones</i> | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | NA |
| <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 | | Y |
| Development Impact Notification Assessment | | | NA |
| Project of Regional Significance | | X | NA |

ANALYSIS

DR (Desert Rural Density Residential) (2.1 to 2.49 dwelling units/gross acre). The Desert Rural Density Residential Category allows a maximum of 2 dwelling units per gross acre.

The predominant residential lifestyle 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.

SC (Service Commercial) The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics.

Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

RURAL PRESERVATION OVERLAY DISTRICT

This site is located within an area identified as the Rural Preservation Overlay District. Per Title 19.06.150, it is the intent of the Rural Preservation Overlay District to ensure that the rural character is preserved by limiting residential development density to three dwelling units per acre within a 330-foot transitional buffer around Rural Preservation Neighborhoods, unless good cause is shown. Land is disqualified from status as a Rural Preservation Neighborhood, or as a required buffer, if it is closer than 330 feet to a road greater than 99 feet in width. In the case of this application, the subject site is entirely within 330 feet of Craig Road, a 120-foot Parkway Arterial and is not subject to the Rural Preservation Overlay requirements.

The companion request for a Rezoning (ZON-22562) and Site Development Plan Review (SDR-22557) to this General Plan Amendment is for the construction of an indoor swim school.

A single-family dwelling currently exists on the site, but will be removed to upon approval of these land use applications. Prior actions have allowed commercial zoning to the north and east of this site. Commercial zoning also extends to the south of the site as a flag shaped lot was permitted to encircle the subject site to provide access from Thom Boulevard to a Daycare Facility to the east of the subject site.

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 SC (Service Commercial) land use designation is compatible with the existing SC (Service Commercial) land use designations to the north and east of the subject site.

In regard to 2:

With the approval of the associated request for a Rezoning (ZON-22562) to the C-1 (Limited Commercial) zoning district, this proposal will be consistent with the surrounding uses and is appropriate given the relatively small scale of proposal and the proximity of the site to Craig Road, a 120-foot right-of-way.

In regard to 3:

There are adequate transportation, recreation, utility, and other facilities to accommodate the proposal. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 West Cheyenne Avenue. Fire Station #9, located at 4747 North Rainbow Boulevard is the closest city facility to the site. Patriot Community Park is located less than half a mile from the subject site.

In regard to 4:

The proposed amendment is within 330 feet of a 120-foot right-of-way and therefore is not subject to the requirements of the Rural Preservation Overlay District. There are no neighborhood plans or special area plans covering the subject site.

PLANNING COMMISSION ACTION

There were seven speakers in opposition to the project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 192 by Planning Department

APPROVALS 6

PROTESTS 12