

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 14, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - GPA-26009 - APPLICANT/OWNER: BILPAR-
TENAYA INVESTMENTS, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL.

**** 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 R (Rural Density Residential) Land Use designation to the O (Office) Land Use designation. The subject parcel is on 1.99 acres located at the northeast corner of Bilpar Road and Tenaya Way.

Staff recommends denial of this request and the related Rezoning (ZON-26010) request as the proposal does not support the policies and goals of the Centennial Hills Sector Plan to encourage commercial uses in the Town Center Master Plan Area and to preserve the rural character of residential properties.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
2/19/03	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for R (Rural Density Residential) land uses, with a maximum density of 3.59 dwelling units per acre.
1/08/04	The Planning Commission tabled a request to amend a portion of the General Plan(GPA-3036) from: R (Rural Density Residential) to: SC (Service Commercial), a Rezoning (ZON-3037) from the U (Undeveloped) zoning district to the C-1 (Limited Commercial) Zoning District , and a Site Development Plan Review (SDR-3039) for a 14,700 square-foot, two-story Retail Building on 1.99 acres adjacent to the northeast corner of Tenaya Way and Bilpar Road. Staff recommended denial on all three requests.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with the subject site.	
<i>Pre-Application Meeting</i>	
12/04/07	Staff met with the applicant, architect, and representative to discuss the required actions for developing a Child Care Facility and Office Development at the proposed location. Staff reviewed the submittal requirements necessary for a General Plan Amendment, Rezoning request, and Site Development Plan Review request. Staff strongly encouraged the applicants to submit a Site Development Plan Review but they have chosen to proceed with only the General Plan Amendment and Rezoning request.

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<i>Neighborhood Meeting</i>	
1/22/08	<p>A neighborhood meeting was held on Tuesday, January 22, 2008 from 6:45 p.m. to 8:20 p.m. at the CLV Community Room of the Centennial Hills Active Adult Center located at 6601 N. Buffalo Drive, Las Vegas, NV. Six members of the public, the applicant, and one staff member from the City of Las Vegas Department of Planning and Development were present. The applicant described the intent to amend the existing R (Rural Density Residential) land use designation to the "O," (Office) land use designation in order to accommodate a proposed day care center and one-story office building.</p> <p>The members of the public in attendance had the following comments and concerns:</p> <ul style="list-style-type: none"> * Day care use is incompatible with the large corral next to it * Concern that the land use change will set a precedent for other vacant parcels on the east side of Tenaya Way. * Day care is not a low-impact use and impact adjacent residences * Commercial use of the site will increase traffic on Tenaya Way and adjacent streets * Concerns about whether or not a cul-de-sac could be installed on Bilpar Road to separate the commercial parcel (and traffic) from the residential parcels to the east * Questions raised about how the property would be used if the day care facility were to fail * Questions were raised about the number of children that would be accommodated by the day care facility (the applicant was unable to respond) * The residents wanted to see a copy of the traffic study prior to consideration by Planning Commission * Concerns were raised about the surfacing of the playground and its proximity to the horse corral (fear of children throwing balls over the perimeter wall and hitting the horses) * Concern about the land use designation being approved and another development plan being substituted * Concern about the vacant lot on the south side of Bilpar Road being rezoned to commercial * The proposed uses will harm the neighborhood and the lifestyle of residents

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<i>Field Check</i>	
12/14/07	A field check was made by staff with the following observations: <ul style="list-style-type: none"> • The subject site is undeveloped with no discernible change in grade. • Undeveloped Town Center Suburban Mixed-Use lots located across Tenaya Way to the west of the site. • Rural density single family residences with horse corrals (unincorporated Clark County) adjacent to the east and north of the site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.91 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential)	U (Undeveloped)
North	Corrals/stables with residential - Clark County	DR (Desert Rural Density Residential) Clark County	Clark County
South	Undeveloped/ Single Family Residence	R (Rural Density Residential)	U (Undeveloped)/
East	Single Family Residence	DR (Desert Rural Density Residential)	Clark County
West	Undeveloped	TC (Town Center)	TC (SX-TC - Suburban Mixed Use Town Center Land Use Category)

<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		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

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ANALYSIS

- **R (Rural Density Residential) Master Plan Land Use Designation**

The current R (Rural Density Residential) land use classification allows a maximum density of development of 3.49 units per gross acre. This category permits single-family detached homes similar in nature to those within the DR (Desert Rural) land use designation, but with a smaller allowable lot size.

- **O (Office) Master Plan Land Use Designation**

The Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations. The applicant stated that he would be seeking the appropriate development approvals for a Child Care Facility and a single-story office building, but no Site Development Plan Review has been submitted.

Section 3.2 of The Centennial Hills Sector Plan of the City of Las Vegas General Plan specifically states that the intent of the Centennial Hills Town Center Concept is to, prevent the sprawl of commercial and office projects into developing residential neighborhoods which exist in the Centennial Hills Sector Plan Area by centrally locating the Centennial Hills Town Center around the Beltway/Highway 95 interchange.. The subject property is not located within the Town Center Master Plan Area, but rather in a nearby area that maintains the R (Rural Density Residential) land use designation.

The neighboring property to the west of this proposal is located within the Town Center Master Plan Area and maintains the SX-TC (Suburban Mixed-Use Town Center Land Use) and that much of that land remains undeveloped. Staff finds it would be inappropriate to designate property outside of Town Center from residential to commercial in order to facilitate the type of commercial use that should be located within the SX-TC (Suburban Mixed-Use Town Center Land Use) area. Therefore, staff recommends denial of this request and the related Rezoning (ZON-26010 request).

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,

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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 O (Office) land use designation for the subject site is not compatible with the adjacent R (Rural Density Residential) land use. The applicant has requested this amendment to the Centennial Hills Sector Plan and an associated Rezoning to the O (Office) Zoning District in order to develop a proposed Child Care Facility and Office Building. Although there has been no Site Development Plan Review filed with this application, staff has determined the requested General Plan Amendment from a low-intensity residential use to a low-intensity commercial use is inappropriate for this area.

In regard to 2:

The applicant has requested a Rezoning (ZON-26010) from the U (Undeveloped) Zoning District [under the R (Rural Density Residential) General Plan Designation] to the O (Office) Zoning District. It is the applicants stated intent to develop a proposed a Child Care Facility and additional office building; however, a Site Development Plan Review has not been submitted with this request. Staff finds that the proposed uses are not compatible with the adjacent low-density single family residential uses in the area.

In regard to 3:

The necessary transportation, recreation, utility, and other facilities needed to accommodate the uses and densities permitted by the proposed General Plan Amendment are in place or will be in the near future. The site is primarily served by Tenaya Way, a Secondary (80-foot) Collector that can accommodate the increased capacity for traffic generated by commercial uses on the subject site. There is some concern regarding the use of Bilpar Road, a 60-foot wide Local street that is currently unimproved and mainly residential in nature.

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In regard to 4:

Because this site is not located within the Town Center Plan Area, staff finds that this request, and the related Rezoning (ZON-26010), is in conflict with Section 3.2 of the Centennial Hills Sector Plan, which states that the intent of the Centennial Hills Town Center concept is to prevent the sprawl of commercial and office projects into developing residential neighborhoods by centrally locating the Centennial Town Center around the Beltway/Highway 95 interchange. This concentration of economic activities will aid in the preservation of the lifestyle which exists in most of the residential neighborhoods located n the Centennial Hills area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 67

APPROVALS 0

PROTESTS 7