



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-25069 - APPLICANT/OWNER: SOLTERRA HOLDINGS
NEVADA, LLC**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from C-M (Commercial/Industrial) to C-2 (General Commercial) on 1.28 acres adjacent to the east side of 1st Street, between Hoover Avenue and Gass Avenue. The project site currently consists of six undeveloped parcels formerly used for multi-family residential uses.

The proposed rezoning to the C-2 (General Commercial) zoning district is consistent with the MXU (Mixed Use) General Plan designation. The proposed mixed-use developments are appropriate for a C-2 (General Commercial) zoning district with the approval of a Special Use Permit (SUP-25070 and SUP-25268) and approval of this rezoning request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a request for a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 Acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south.
11/29/07	The Planning Commission recommended approval of companion items SUP-25070 and SDR-25072 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35/rts).
<i>Related Building Permits/Business Licenses</i>	
06/22/07	A building permit application, plan check OTC-92409, was submitted for the site. This was for a plan check review for the demolition of the multi-family residential structures that were on portions of the subject site. This permit was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as it was submitted. This permit has not received a final inspection as of 10/31/07.
<i>Pre-Application Meeting</i>	
09/27/07	A pre-application meeting was held, where submittal requirements and elements of this application were discussed. Specifically, the Building and Safety Department went over the requirements for the placement of the accessible parking spaces and the Public Works Department went over the need for a traffic study and encroachment agreements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

Field Check	
09/27/07	The Department of Planning and Development conducted a site visit that found that this is an undeveloped site that has previously had improvements that have been removed. There is temporary, unscreened chain link fencing around the site.

Details of Application Request	
Site Area	
Net Acres	1.28

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MXU (Mixed Use)	C-M (Commercial/Industrial) [Proposed: C-2 (General Commercial)]
North	Multi-family Residential	MXU (Mixed Use)	C-M (Commercial/Industrial)
South	Warehouse/Distribution Center	MXU (Mixed Use)	C-M (Commercial/Industrial)
East	Multi-family Residential	MXU (Mixed Use)	C-2 (General Commercial)
	Office, Other Than Listed	MXU (Mixed Use)	C-2 (General Commercial)
West	Office, Other Than Listed	MXU (Mixed Use)	C-M (Commercial/Industrial)
	General Retail, Other Than Listed	MXU (Mixed Use)	C-M (Commercial/Industrial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O (Airport Overlay) District (200 Feet)	X		Y
Live/Work Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. Further, this zoning action affects multiple project sites. There is a proposed project for the northern two-thirds and a separate one for the southern third of subject site that will be reviewed as individual Site Development Plan Reviews (SDR-25072 and SDR-25265). Therefore, code compliance with regard to the development standards for a project within the Downtown Centennial Plan boundaries and the proposed C-2 (General Commercial) zoning district will be examined as a part of those reviews.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-M (Commercial/Industrial)	n/a	n/a
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-2 (General Commercial)	n/a	n/a
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
MXU (Mixed Use)	n/a	n/a

ANALYSIS

The subject site is located within the boundaries of the Las Vegas Redevelopment District of the Southeast Sector Plan of the General Plan, and is designated as MXU (Mixed Use). The MXU (Mixed Use) designation allow uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial). The proposed use is compatible with this land use designation and the neighboring zoning districts, which are intended for higher intensity commercial uses.

This Rezoning proposes to change the zoning of the subject site where all six of the parcels are zoned C-M (Commercial/Industrial). The proposed uses for this location are permissible in the proposed C-2 (General Commercial) zoning district which is compatible with the MXU (Mixed Use) General Plan designation.

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a MXU (Mixed Use) land use designation. The proposed uses are in conformance with Redevelopment Plan policies that encourage innovative, mixed use projects in this area of the City. The proposed development is in compliance with the MXU (Mixed Use) designation.

The site is within the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. There are proposed buildings within the subject rezoning area that will be 175 feet and 550 feet. This site has an overlay height limitation of 200 feet and will require a Special Use Permit (SUP-25267) approved for the building proposed to exceed the limitation pursuant to Title 19.06.080.

This site is with in the Live/Work Overlay District. The mixed-use nature of the proposed developments will offer employment and housing options on-site; however, the projects do not include any live/work units as outlined in Title 19.06.130.

The subject parcels are within the Las Vegas Downtown Centennial Plan boundaries, and are located in the Downtown South district, which is a mixed-use area containing a wide variety of land uses and density of existing utilitarian buildings. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

The site encompasses six parcels with proposed buildings built across the lot lines. As it is the stated intention of the applicant to create a mixed-use subdivision, there will need to be a tentative map review and final map technical review prior to any building permits being issued. Recordation of any necessary maps may be required prior to the issuance of certain building permits.

This rezoning has been submitted in conjunction with applications for a portion the site that includes a proposed Site Development Plan Review (SDR-25072) to site a proposed 14-story mixed-use development that includes 5,000 square feet of commercial space and 130 residential condominium units and Special Use Permit (SUP-25070) to allow a mixed-use development with residential uses in the proposed C-2 (General Commercial) zoning district. Additionally, applications have been submitted for the remaining portion on the subject site for a Site Development Plan Review (SDR-25265) to site a proposed 50-story mixed-use development that includes 15,000 square feet of commercial space and 700 residential condominium units, a Special Use Permit (SUP-25268) to allow a mixed-use development with residential uses in the proposed C-2 (General Commercial) zoning district, and a Special Use Permit (SUP-25267) to allow a building height of 550 feet in the A-O (Airport Overlay) district where the height limitation is 200 feet.

The proposed rezoning is in conformance with the sites General Plan designation and is appropriate for the developments as proposed. This rezoning is required to allow the proposed mixed use projects on this site and would solidify this entire block as C-2 (General Commercial); therefore, staff is in support of this rezoning request.

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 rezoning would unify the zoning on this block into one designation that conforms to the General Plan. The sites proposed buildings can accommodate the range of uses identified and are in compliance with the MXU (Mixed Use) General Plan category.

- 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 rezoning will be compatible with the mixed use, residential and commercial developments in this area.

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

Growth and development factors indicate a need for housing options and services such as will be provided to locate in this area. Given the General Plan designation of MXU (Mixed Use) on the subject site, the rezoning to the C-2 (General Commercial) zoning district is appropriate for the area.

- 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.**

South 1st Street will be the principal vehicular access point for the development on the southern portion of this site. The development on the northern portion of the site will use the alleyway to the east of the site. These access points are adequate to meet the requirements of the proposed zone change. Further, the site has access to public transportation, which may assist in reducing the number of vehicle trips generated by the developments.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 229 by Planning Department

APPROVALS 6

PROTESTS 1