

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 28, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABYANCE - ZON-25906 - APPLICANT/OWNER: KB HOMES
NEVADA INC, ET AL**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-E (Residence Estates) to R-PD4 (Residential Planned Development Four Units per Acre) on 30.2 acres at the northeast corner of Iron Mountain Road and Leon Avenue. The project proposes to merger and re-subdivide eight undeveloped lots into a 118-lot single family residential subdivision.

The proposed rezoning to the R-PD4 (Residential Planned Development Four Units per Acre) zoning district is consistent with the designation L (Low Density Residential) proposed as a General Plan Amendment (GPA-25905). The size of the project area to be rezoned is greater than five acres, which meets the area requirement for a rezoning to an R-PD (Residential Planned Development) district. The proposed L (Low Density Residential) is not consistent with the objectives of the General Plan or compatible with neighboring developments as it would allow density intensification, up to 5.5 units per acre, which does not represent an appropriate transition to the neighboring R (Rural Density Residential). For this reason this zoning request is not appropriate for the area and denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/24/08	This item was held in abeyance at the applicants request to allow time to revise the proposed site plan.
02/28/08	A companion items for a General Plan Amendment (GPA-25905), Vacation (VAC-25907), and Site Development Plan Review (SDR-25908) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no relevant building permits or business licenses related to this site	
<i>Pre-Application Meeting</i>	
10/03/07	A pre-application meeting was held and elements of this application were discussed. Parking ratios, access issues from Decatur Boulevard and submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
01/03/08	A neighborhood meeting was held at the Centennial Hills Community Center, 6601 North Buffalo Drive. Ten members of the public, five representatives of the applicant, and one member of the Planning and Development staff attended. Those in attendance had the following comments and concerns: <ul style="list-style-type: none"> • There was no objection to the density proposed. • There was a desire that the elevation of the houses within the proposed development be similar in appearance to the existing area homes.

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Field Check	
12/20/07	The Department of Planning and Development conducted a site visit that found that the site is an undeveloped parcel. There was temporary chain link fencing around the perimeter of the site. Some trash and debris had collected at the edges of the site.

Details of Application Request	
Site Area	
Gross Acres	30.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential) [Proposed: L (Low Density Residential)]	R-E (Residence Estates) [Proposed: R-PD4 (Residential Planned Development Four Units per Acre)]
North	Single Family, Detached	R (Rural Density Residential)	R-PD3 (Residential Planned Development Three Units per Acre)
	Undeveloped	PF (Public Facilities)	R-E (Residence Estates)
South	Single Family, Detached	L (Low Density Residential)	R-PD4 (Residential Planned Development Four Units per Acre)
East	Undeveloped	PF (Public Facilities)	C-V (Civic)
	Undeveloped	DR (Desert Rural)	R-E (Residence Estates)
West	Single Family, Detached	L (Low Density Residential)	R-PD3 (Residential Planned Development Three Units per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	n/a
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	n/a
Trails	X		Y *
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

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- * The required trail is indicated by notation. A condition has been included in the Site Development Plan Review (SDR-25908) that requires the trail to meet the Recreation Trails Element requirements for a Multi-use Equestrian Trail.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Proposed *</i>
Min. Lot Size	6,825 Square Feet
Min. Lot Width	65 Feet
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	14 Feet to House and 18 feet to Garage 5 Feet 10 Feet 15 Feet
Max. Lot Coverage	n/a
Max. Building Height	2 Stories/35 Feet (which ever is less)

- * Pursuant to Title 19.08.040 (C)(4), the development standards for a project shall be established by the approval of an R-PD District and the approved Site Development Plan as described in Subchapter 19.18.050. Development standards shall include minimum front, side and rear setbacks, maximum building heights, wall and fence design and heights, parking standards, landscaping and other design and development criteria. Any future development will require review for determination of appropriate development standards.

Pursuant to Title 19.06.040 (G), the following open space standards apply:

<i>Open Space</i>						
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
		<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
30.2 acres	3.91 du/ac	6.5%	1.9 Acres	6.5%	1.9 Acres *	Y

- * This is calculated by adding the area of the common lot portion of the multi-use equestrian trail to the area of the indicated park. The appropriate tabulation will need to be verified at the time of permitting to insure compliance with these requirements as the current drawings do not adequately indicate this information.

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Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement					
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Compliance
			Parking		
			Regular	Handicapped	
Single Family, Detached	118-Lots	2 Spaces / SFD	236 Spaces	0 Spaces	
TOTAL (including handicap)			236 Spaces		Indeterminate *

* There are no floor plans proposed at this time for this development. An if approved condition appears in the Site Development Plan Review (SDR-25908) requiring all City Code requirements and design standards of all City Departments must be satisfied. This would include the above parking standard.

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 dwelling units / acre	60 dwelling units / acre @ 30.2 acres
Proposed Zoning	Permitted Density	Units Allowed
R-PD4 (Residential Planned Development Four Units per Acre)	4.49 dwelling units / acre	135 dwelling units / acre @ 30.2 acres
	Proposed: 3.91 dwelling units / acre	Proposed: 118 dwelling units
General Plan	Permitted Density	Units Allowed
DR (Desert Rural Density Residential)	2.1 2.49 dwelling units / acre	75 dwelling units / acre @ 30.2 acres
Proposed: L (Low Density Residential)	3.6 5.5 dwelling units / acre	166 dwelling units / acre @ 30.2 acres

ANALYSIS

The subject properties are located within the boundaries of the Centennial Hills Sector Map of the General Plan. A proposed General Plan Amendment (GPA-25905), if approved, would allow an L (Low Density Residential) land use designation. The proposed designation allows single family detached homes, manufactured homes on individual lots, gardening, home occupations, and family child care facilities. This category allows up to 5.49 units per acre. The project proposes a single family residential subdivision consisting of 118 lots, at the northeast corner of Iron Mountain Road and Leon Avenue. The proposed development is in compliance with the proposed L (Low Density Residential) General Plan designation.

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This Rezoning proposes to change the sites zoning from R-E (Residence Estates) to R-PD4 (Residential Planned Development Four Units per Acre). The proposed R-PD4 (Residential Planned Development Four Units per Acre) zoning district is intended to provide maximum flexibility to permit imaginative and innovative residential design and to utilize land for the development of residential communities which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and homogeneity of use patterns. Portions of an R-PD (Residential Planned Development) development may have a higher or lower density than permitted by the General Plan if the overall density for the entire development is in compliance with the General Plan. The maximum density permitted in an R-PD (Residential Planned Development) district is a function of the location and land use designation. The density of this proposed residential subdivision is 3.91 dwelling units per acre, thus it has been designated an R-PD4 (Residential Planned Development Four Units per Acre) development. The proposed 118-lot residential subdivision is permissible in an R-PD4 (Residential Planned Development Four Units per Acre) zoning district which is compatible with the proposed L (Low Density Residential) General Plan designation.

This rezoning has been submitted in conjunction with a General Plan Amendment (GPA-25905) to change the land use designation to L (Low Density Residential), Vacation (VAC-25907) to vacate portions of the rights-of-way at the perimeter of the site, and a Site Development Plan Review (SDR-25908) for the siting of a 118-lot single family residential subdivision. The project represents a development that, due to the intensification possible under the proposed General Plan designation, is not consistent with the objectives of the General Plan and is potentially incompatible with neighboring developments. For this reason this zoning request is not appropriate for the area and denial of this request is recommended.

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 is consistent with the proposed L (Low Density Residential) designation as listed under the Centennial Hills Sector Plan of the General Plan. However, the potential density allowed by the proposed General Plan Amendment (GPA-25905) would be greater than is appropriate for a transition of this nature in this area.

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.

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Currently, there are single family residential developments to the north, south, and west of the property. None of these properties should be affected by the possibility of rezoning. The proposed rezoning would be generally compatible with the residential uses that surround the property; however, the density would be greater.

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 low density single family residential activities to locate in this area. The rezoning to the R-PD4 (Residential Planned Development Four Units per Acre) zoning district is not appropriate for the area as the proposed density of 3.91 dwelling units per acre is greater than what would be a fitting transition in this 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.

The site will receive access from Bradley Road and Iron Mountain Road, which are adequate in size to meet the requirements of the proposed R-PD4 (Residential Planned Development Four Units per Acre) zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 414

APPROVALS 0

PROTESTS 9