

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 24, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - ZON-28018 - APPLICANT: BLOKHAUS
DEVELOPMENT, LP - OWNER: ARTCENTRAL SOUTH, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-4 (High Density Residential) to R-5 (Apartment) on 0.48 acres at the southwest corner of Utah Avenue and Casino Center Boulevard.

In addition to this application, the applicant requested a Site Development Plan Review (SDR-28017) for a 54-Unit apartment complex with Waivers of the Downtown Centennial Streetscape and Architectural Design Standards.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/27/03	A Citation (#3532) was issued by Code Enforcement for lack of maintenance of the property at 1500 S. Casino Center Boulevard. The issue was resolved on 09/19/03
06/22/04	A Citation (#16960) was issued by Code Enforcement for a vehicle infraction at 1500 S. Casino Center Boulevard. The issue was resolved on 06/24/04.
05/10/05	A Citation (#29803) was issued by Code Enforcement for electrical, plumbing and rats at 1500 S. Casino Center Boulevard. The issue was resolved on 05/11/05.
05/10/05	A Citation (#29820) was issued by Code Enforcement for electrical problems at 1500 S. Casino Center Boulevard. The issue was resolved on 05/11/05.
06/14/05	A Citation (#31288) was issued by Code Enforcement for mold in the bathroom at 1500 S. Casino Center Boulevard. The issue was resolved on 07/12/05.
08/03/05	A Citation (#33234) was issued by Code Enforcement for lack of hot water and electrical problems at 1500 S. Casino Center Boulevard. The issue was resolved on 08/09/05.
08/08/05	A Citation (#33389) was issued by Code Enforcement for a lack of maintenance repairs at 1500 S. Casino Center Boulevard. The issue was resolved on 01/12/06.
08/11/05	A Citation (#33515) was issued by Code Enforcement for insects and rodents at 1500 S. Casino Center Boulevard. The issue was resolved on 08/22/05.
09/02/05	A Citation (#34243) was issued by Code Enforcement for a refrigerator in the courtyard and broken windows at 1500 S. Casino Center Boulevard. The issue was resolved on 09/06/05.

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09/02/05	A Citation (#34244) was issued by Code Enforcement for bugs, water heater isnt grounded and window crack at 1500 S. Casino Center Boulevard. The issue was resolved on 01/20/06.
01/25/06	A Citation (#37821) was issued by Code Enforcement for building check for housing violations at 1500 S. Casino Center Boulevard. The issue was resolved on 03/19/08.
04/12/07	A Citation (#51283) was issued by Code Enforcement for plumbing issues at 1500 S. Casino Center Boulevard. The issue was resolved on 03/19/08.
06/26/08	The Planning Commission held the subject Rezoning (ZON-28018) from: R-4 (High Density Residential) to R-5 (Apartment); and Site Development Plan Review (SDR-28017) for a 55-unit Apartment Complex with Waivers of the Downtown Centennial Streetscape and Architectural Design Standards in abeyance.
<i>Related Building Permits/Business Licenses</i>	
01/01/51	A Business License (#A07-00067) was issued for an apartment building (22 units) on 1500 S. Casino Center.
11/03/89	A Business License (#A07-01108) was issued for an apartment building (8 units) on 1510 S. Casino Center
05/06/03	A Certificate of Occupancy (#7204) was issued for an apartment building at 1500 S. Casino Center.
<i>Pre-Application Meeting</i>	
01/24/08	A pre-application meeting was held with the applicant. The applicant was informed that their site must adhere to the Downtown Centennial Plan. The applicant commented they werent going to meet Streetscape Standards, which would require a Waiver of the Downtown Centennial Plan. Submittal requirements were then explained to the applicant in great detail.

<i>Field Check</i>	
06/02/08	A field check was made on site. The site currently houses two apartment complexes. Parking is arranged on the west side of the property adjacent to the alley and the east side of the property adjacent to Casino Center. The buildings will be demolished as part of this project.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartments	MXU (Mixed Use)	R-4 (High Density Residential)
North	Duplex	MXU (Mixed Use)	R-4 (High Density Residential)
South	Duplex	MXU (Mixed Use)	R-4 (High Density Residential)
East	Apartment	C (Commercial)	R-4 (High Density Residential)
West	Auto Repair	C (Commercial)	C-M (Commercial/Industrial)

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

**The applicant has requested a Waiver of Downtown Centennial streetscape standards providing only five feet of sidewalk and no amenity zone as part of Site Development Plan Review (SDR-28017).*

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-4 (High Density Residential)	26-50 du/ac	24 Units
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-5 (Apartments)	Unlimited	Unlimited
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
MXU (Mixed Use)	H (High Density Residential)	Unlimited

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ANALYSIS

•Zoning

The subject properties are located within the boundaries of the Las Vegas Redevelopment District, and have a MXU (Mixed Use) land use designation. The Mixed-Use category allows for a mix of uses that are normally allowed within the 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) Master Plan land use categories.

The subject properties are zoned R-4 (High Density Residential) and are located within the Downtown South District of the Downtown Overlay District. The applicants proposed density for the site is 112 units per acre, which exceeds the R-4 (High Density Residential) zoning districts limitation of 50 units per acre. Therefore, the applicant has requested to rezone the two parcels to the R-5 (Apartment) zoning district, which has no limitation on density. Multi-family developments are permitted uses within the Downtown South District and the R-5 (Apartment) zoning district.

This rezoning has been submitted in conjunction with a Site Development Plan Review (SDR-28017) for a 54-Unit apartment complex with Waivers of the Downtown Centennial Streetscape and Architectural Design Standards.

• Las Vegas 2020 Master Plan - Neighborhood Revitalization

The subject properties are located within the boundaries of the Las Vegas 2020 Master Plan Neighborhood Revitalization area. The Master Plan seeks to stabilize and improve these areas that form the heart of the community, protect them from the intrusion of non-residential land uses, and where a transition to incompatible non-residential activities is underway, to integrate these uses in a sensitive and attractive manner. A key component of neighborhood revitalization is the redevelopment of declining commercial centers or vacant land into mixed-use urban hubs, creating a walkable and interesting urban environment.

OBJECTIVE 2.6: To improve the amount and quality of infill development on vacant and underutilized lands within established areas of the city.

POLICY 2.6.1: That the City investigates the development of an incentive program designed to encourage property owners to redevelop vacant or derelict sites within the Neighborhood Revitalization area.

POLICY 2.6.2: That the City take steps to encourage the development of two, three and four plex housing opportunities.

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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 Mixed-Use category allows for a mix of uses that are normally allowed within the 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) Master Plan land use categories. As an apartment complex of this size conforms to the H (High Density Residential) land use category; therefore the R-5 (Apartment) zoning district is 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 residential and commercial developments in this area. The site is surrounded by parcels that are all within the Downtown Redevelopment Area that are designated either C (Commercial) and MXU (Mixed Use), which allows a range of residential and commercial uses.

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 of this character to locate in this area. This is an existing multi-family residential site that will be redeveloped with an increased capacity and improved amenities for the residents of the upgraded multi-family residential complex. The apartment complex will be a positive addition to a site that has a history of code enforcement violations, which will further 2020 Master Plan Neighborhood Revitalization objectives to improve the amount and quality of infill development on vacant and underutilized lands within established areas of the city

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.

Vehicular access to the structure will be from the alley way off of Utah Avenue. The intensity of the development will not add a significant amount of traffic to the existing network, which there is adequate capacity to address the added impacts.

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