

**AGENDA MEMO - PLANNING**

PLANNING COMMISSION MEETING DATE: AUGUST 9, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: ROYAL VIEW, LLC

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-41934	Staff recommends DENIAL.	
ZON-41933	Staff recommends DENIAL.	GPA-41934

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to change the land use designation and zoning on 1.54 acres of undeveloped land on the northeast corner of Sky Pointe Drive and Horse Drive. The property is currently designated for residential development, but the applicant believes the site would be better suited for commercial development. Staff recommends denial as the proposal would not be compatible with the surrounding area. If denied, the property could only be developed as residential, as is currently designated.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/02/94	The City Council approved Rezoning (Z-132-93) for reclassification of property located on the east side of Rancho Drive, between Ackerman Avenue and Iron Mountain Road, from: C-2 (General Commercial) and R-E (Residence Estates), to: R-PD3 (Residential Planned Development), R-PD6 (Residential Planned Development), R-PD12 (Residential Planned Development) and C-1 (General Commercial) for single family dwellings, townhomes, apartment complexes and business park. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
05/31/07	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
No activity is on file for this site.	

<i>Pre-Application Meeting</i>	
05/17/11	Staff met with the applicant and reviewed the requirements for a General Plan Amendment and Rezoning application submittal. Staff recommended the applicant pursue an O (Office) land use designation and corresponding P-O (Professional Office) district, as that would be more appropriate for the site.

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<i>Neighborhood Meeting</i>	
06/23/11	A neighborhood meeting was held on 06/23/11 from 6:10 to 6:45 pm in the Community Resources Room at the Centennial Hills Community Center YMCA, 6601 N. Buffalo Drive. In attendance were nine members of the public, two members of the development team, one member of the Planning Commission, one member of the Council Office, one member of the Planning Department. Concerns included the following: • Off-sale Alcohol • Gaming • Massage uses • Future site development • Concerns with wall heights, hours of delivery, and play areas for childcare uses Overall most in attendance supported the request; however, one opposed.

<i>Field Check</i>	
06/02/11	Staff visited the site and found it to be undeveloped and free of trash, debris and weeds.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.54

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	PCD (Planned Community Development)	R-E (Residence Estates)
		Proposed: SC (Service Commercial)	Proposed: C-1 (Limited Commercial)
North	Single Family Residential	PCD (Planned Community Development)	R-PD6 [Residential Planned Development (Six Units Per Acre)]
South	Park	SC (Service Commercial)	R-PD12 [Residential Planned Development (Twelve Units Per Acre)]

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East	Single Family Residential	PCD (Planned Community Development)	R-PD6 [Residential Planned Development (Six Units Per Acre)]
West	Undeveloped	TND (Traditional Neighborhood Development)	T-D (Traditional Development)
		SC (Service Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Sky Pointe Drive	Secondary Collector	Master Plan of Streets and Highways	80	Y
Horse Drive	Secondary Collector	Master Plan of Streets and Highways	80	Y

ANALYSIS

This project is part of the Spring Mountain Ranch Master Development Plan. However, no design or development standards were included in the plan. Given the small size of the parcel and the fact it is surrounded on two sides by single family residential neighborhoods, the proposed designations would be too intense for the site.

The applicant was advised by staff that a General Plan Amendment designation of O (Office) and a corresponding Zoning designation of P-O (Professional Office) would be better suited for the site. These designations would allow for offices which would provide a more appropriate buffer between the single family residential uses to the north and east and the commercial uses across the street to the west.

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If the proposed designations are approved, any use permitted in C-1 (Limited Commercial) would be allowed, including office, retail and various alcohol-related businesses with an approved Special Use Permit. For these reasons, staff recommends denial of both applications as being an inappropriate land use and zoning designation for the location.

FINDINGS (GPA-41934)

Section 19.16.030(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,

The proposed commercial land use designation is not compatible with the adjacent single family residential neighborhood.

2.The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

A C-1 (Limited Commercial) zoning designation on this small parcel would not be an appropriate land use. A less intense zoning such as an office district would be a more compatible buffer with the adjacent residential uses.

3.There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

The existing infrastructure is adequate to support the proposed land use and zoning designations.

4.The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

This parcel is part of the Spring Mountain Ranch Master Development Plan, which designates this parcel for single family residential development. The proposal does not conform to this plan.

FINDINGS (ZON-41933)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

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1.The proposal conforms to the General Plan.

The proposed C-1 (Limited Commercial) zoning district conforms to the proposed SC (Service Commercial) General Plan designation.

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 C-1 (Limited Commercial) designation would allow uses that are too intense, and would be incompatible with the surrounding residential neighborhoods.

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

There is currently undeveloped commercial property to the west of the site and vacant commercial developments throughout the general area that are more appropriate for the proposed uses than the subject site.

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.

Sky Pointe and Horse Drives are both adequate for the proposed land use and zoning designations.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 380

APPROVALS 0

PROTESTS 8