



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: DR HORTON, INC.

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-48471	Staff recommends APPROVAL.	
ZON-48472	Staff recommends APPROVAL.	GPA-48471

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to rezone 4.14 acres of undeveloped land at the southeast corner of Hualapai Way and Dorrell Lane for construction of a future residential development. The applicant is also requesting a General Plan Amendment in order to allow for a higher density development than is currently allowed by the General Plan. As the proposed L (Low Density Residential) designation will provide an adequate transition from rural residential uses to the east of the subject property to multi-family uses west of Hualapai Way, staff recommends approval of the General Plan Amendment. The requested rezoning to R-1 (Single Family Residential) is likewise appropriate for this site and will conform to the L designation; therefore, staff recommends approval of the proposed Rezoning. If denied, the current zoning and land use designations will remain, and the site could not otherwise be developed.

ISSUES

- The subject site can no longer be developed under the existing R-PD3 (Residential Planned Development – 3 Units per Acre) zoning designation, as the approvals for the residential development tied to the current zoning approval have expired and the Unified Development Code (UDC) does not support R-PD districts. Therefore, in order to be developed, the site must be rezoned to a standard zoning district.
- The applicant requests a General Plan Amendment to change the land use designation on the subject site from R (Rural Density Residential) to L (Low Density Residential) to allow for a wider range of density for future residential development.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/04/04	The City Council approved a Petition to Annex (ANX-4451) approximately 5.35 acres at the southeast corner of Hualapai Way and Dorrell Lane. The annexation became effective 08/13/04.
01/19/05	The City Council approved a Rezoning (ZON-4623) from U (Undeveloped) [R (Rural Density Residential)] to R-PD3 (Residential Planned Development – 3 Units Per Acre) on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/19/05	The City Council approved a Variance (VAR-5377) to allow no open space where 13,633 SF was required on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a Site Development Plan Review (SDR-4626) for a proposed 19-lot single-family residential development on 5.35 acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
04/06/05	The City Council approved a Waiver of Title 18 (WVR-6035) to allow a 209-foot separation between intersections where 220 feet is required for a proposed residential development on 5.35 gross acres at the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval; staff recommended denial.
09/07/05	The City Council approved a Petition to Vacate (VAC-7657) U.S. Government Patent Easements generally located adjacent to Hualapai Way between Dorrell Lane and Haley Avenue. The Order of Relinquishment of Interest was recorded 08/29/06.
02/07/07	The City Council approved Extensions of Time (EOT-18955, EOT-18954, EOT-18952) for the approved Rezoning (ZON-4623), Variance (VAR-5377) and Site Development Plan Review (SDR-4626) through 01/19/09. Staff recommended approval.
09/05/07	The City Council approved a Major Amendment (SDR-22253) of the approved Site Development Plan Review (SDR-4626) to change the access to the development from Dorrell Lane to Haley Avenue (19 lots remained). An accompanying Title 18 Waiver (WVR-22255) was also approved to adjust the intersection distance separation on the new development. The Planning Commission and staff recommended approval.
10/25/07	The Planning Commission approved a Tentative Map (TMP-24461) for a 19-lot single family residential subdivision on 5.36 acres at the southeast corner of Hualapai Way and Dorrell Lane. The map expired 10/25/11, as no final map on at least a portion of the site was recorded within four years of the approval.
02/04/09	The City Council approved Extensions of Time (EOT-32752 and EOT-32753) for the approved Rezoning (ZON-4623) and Variance (VAR-5377) through 01/19/11. Staff recommended approval.
10/07/09	The City Council approved Extensions of Time (EOT-35681 and EOT-35680) for the amended Waiver (WVR-22255) and Site Development Plan Review (SDR-22253) through 01/19/11. Staff recommended approval.
03/02/11	The City Council approved Extensions of Time (EOT-40746, EOT-40744 and EOT-40745) for the approved Variance (VAR-5377), amended Site Development Plan Review (SDR-22253) and Waiver (WVR-22255). Staff recommended approval. The approvals expired 01/19/13. The approval for ZON-4623 was extended indefinitely (EOT-40742) and hard zoned to R-PD3 (Residential Planned Development – 3 Units Per Acre).

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<i>Most Recent Change of Ownership</i>	
09/22/11	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>
No permits or licenses are related to the subject site.

<i>Pre-Application Meeting</i>	
02/14/13	A pre-application meeting was held with the applicant to discuss submittal requirements for General Plan Amendment and Rezoning applications. The following issues were discussed: • The property cannot be developed as a residential planned development under the UDC, and the approvals for the previous development have expired. • The surrounding streets have all been dedicated; therefore, the gross area of the site cannot include any right-of-way. • Design of any future subdivision will be reviewed separately, after approval of the Rezoning and General Plan Amendment. • A neighborhood meeting is required.

<i>Neighborhood Meeting</i>	
03/18/13	A neighborhood meeting was held at the Centennial Hills Library, 6711 North Buffalo Drive. Seven members of the public, one member of the development team, one member from the Council Office and one member of Planning staff were in attendance. Issues and concerns raised and discussed at the meeting included the following: • Grading so as not to fill beyond the current grade • No three story product • Opposed to any density above 2.00 units/acre • Traffic on Hualapai Way is too much now; this would add even more traffic • Request for a traffic study • Request that landscaping match Cliff's Edge Development Standards • Keep the area as Rural Preservation land use One person was in support of the project.

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Field Check	
02/28/13	The site is undeveloped, containing rocky soil and native vegetation. Neighboring properties to the east are also undeveloped. An ungraded road follows the Dorrell Lane alignment to the east. The site is partially cleared along the eastern boundary. A subdivision sign is located on the south end of the property.

Details of Application Request	
Site Area	
Gross Acres	4.14
Net Acres	4.14

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
North	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential) – Clark County
South	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential) – Clark County
East	Undeveloped	R (Rural Density Residential)	R-E (Rural Estates Residential) – Clark County
West	Multi-Family Residential	Medium Density Residential	PD (Planned Development)

Master Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Purpose and Overlay Districts	Compliance
No Applicable Special Purpose or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to 19.06, the following standards apply:

<i>Standard</i>	<i>Required</i>
Min. Lot Size	6,500 SF
Min. Lot Width	65 Feet
Max. Lot Coverage	50%
Min. Setbacks:	
Front	20 Feet
Side	5 Feet
Corner Side	15 Feet
Rear	20 Feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-PD3 (Residential Planned Development – 3 Units Per Acre)	Up to 3.49 units/acre	14
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-1 (Single Family Residential)	Up to 8.49 units/acre	35
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R (Rural Density Residential)	Up to 3.59 units/acre	14
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
L (Low Density Residential)	Up to 5.49 units/acre	22

<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>
Hualapai Way	Primary Arterial	Master Plan of Streets and Highways Map	50	N
Dorrell Lane	N/A	N/A	30	N/A
Haley Avenue	N/A	N/A	30	N/A

ANALYSIS

The subject property is situated on the boundary between the City of Las Vegas and unincorporated Clark County and is located within the Interlocal Planning Area. As the property is not within an excepted area of the Interlocal Area, the density can be increased on the property. Properties to the east of the subject site are designated RNP (Rural Neighborhood Preservation) by the Centennial Hills Interlocal Land Use Plan and are limited to two dwelling units per acre.

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If approved, the maximum number of units that can be approved for the subject site under the L (Low Density Residential) land use designation is 22. This is a difference of eight units (single-family lots) from the current R (Rural Density Residential) designation. (See table above.)

As the subject site is located along a 100-foot right-of-way (Hualapai Way), an appropriate use is multi-family residential. However, as the area to the east of the site can be characterized as rural residential, the submitted requests will allow for lower densities that will provide a harmonious transition to existing multi-family uses on the west side of Hualapai Way.

FINDINGS (GPA-48471)

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 amendment to L (Low Density Residential) will allow for single-family residential densities that will provide an appropriate transition from R (Rural Density Residential) designated properties on the east to M (Medium Density Residential – Cliff's Edge) designated properties to the west.

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

The General Plan allows for the subject site to be rezoned to R-1 (Single Family Residential), R-MH (Mobile/Manufactured Home Residence) or R-E (Residence Estates). The R-1 and R-E Districts would be compatible with the adjacent Clark County zoning districts as a buffer from the existing multi-family uses on the west side of Hualapai Way.

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 subject property is located along a 100-foot right-of-way that will be fully improved concurrent with development of the site. Bozarth Elementary School, Escobedo Middle School and Centennial High School serve the vicinity. According to the Clark County School District, the elementary and high schools are currently over capacity; however, no new schools are planned in the area. The number of additional students that could be generated by future development on the subject site is expected to be small.

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

The proposed General Plan amendment conforms to the Interlocal Agreement between the City of Las Vegas and Clark County. The proposal is the first step in creating future residential development that provides more opportunities for home ownership and housing choice. The request is in line with Policy 3.2.1 of the Las Vegas 2020 Master Plan which states, “that ‘rural preservation neighborhoods,’ as defined by the State of Nevada, be afforded the required transitional buffer where such portions of the required buffer area fall within the City of Las Vegas and are lands that are currently vacant.”

FINDINGS (ZON-48472)

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

1. The proposal conforms to the General Plan.

With approval of the companion General Plan Amendment to the L (Low Density Residential) land use designation, the proposed Rezoning to R-1 (Single Family Residential) will conform to the density requirements of the General Plan.

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 R-1 (Single Family Residential) District would allow for single family dwellings and accessory uses on lots of at least 6,500 square feet. The properties east of Hualapai Way are undeveloped, but are limited to a maximum residential density of two units per acre. Future single family development on this site would provide an appropriate buffer between the existing multi-family uses to the west and rural residential uses to the east.

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

The existing zoning designation of R-PD3 (Residential Planned Development – 3 Units Per Acre) is no longer developable, as the development review approval that accompanied the zoning approval has expired, and Title 19 (Unified Development Code) no longer supports new R-PD zones. A medium density zone is appropriate as a buffer between multi-family and rural residential designated lands. The R-1 (Single Family Residential) District is therefore appropriate for residential development of the subject site.

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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.

Access to the property may be from Hualapai Way, a Primary Arterial, or from Dorrell Lane and Haley Avenue, two Minor Streets. Access to residential developments is not recommended from a large capacity roadway such as Hualapai Way.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 64

NOTICES MAILED 79

APPROVALS 0

PROTESTS 0