



AGENDA MEMO - PLANNING

SPECIAL PLANNING COMMISSION MEETING DATE: AUGUST 2, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: DR HORTON, INC. - OWNER: DIAMOND CREEK HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-64773	Staff recommends APPROVAL.	
ZON-64774	Staff recommends APPROVAL.	GPA-64773

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 170

APPROVALS 0

PROTESTS 0

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a General Plan Amendment and Rezoning for a parcel of land located within the Southwest Sector of the General Plan located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard. The proposed General Plan Amendment (GPA-64773) is to allow a change from M (Medium Density Residential) to SC (Service Commercial) and the Rezoning (ZON-62263) is to allow a change from a R-TH (Single Family Attached) zone to an C-1 (Limited Commercial) zoning district.

ISSUES

- There is no proposed development for the subject site.
- The subject parcel is located within the 330-foot Rural Preservation Overlay Area which states, “For any rezoning request for vacant property that is located within three hundred thirty feet of a parcel within the Overlay District, the City Council, for good cause shown, may approve a greater density or intensity of use than that which exists within the Overlay District.”

ANALYSIS

The site is located in the Southwest Sector of the General Plan and has a current General Plan designation of M (Medium Density Residential) and zoning district of R-TH (Single Family Attached).

On February 17, 2016 the City Council approved a request for a General Plan Amendment (GPA-62262 to allow a change from SC (Service Commercial) to M (Medium Density Residential) and Rezoning (ZON-62263) from a C-1 (Limited Commercial) zone to an R-TH (Single Family Attached) zoning district for proposed development of townhomes on the subject site. The applicant has indicated in the submitted justification letter that it would like to revert back to the SC (Service Commercial) land use and C-1 (Limited Commercial) zoning district.

The southern portion of site is located within the 330-foot Rural Preservation Overlay Area. Title 19.10.180 states, “for any rezoning request for vacant property that is located within three hundred thirty feet of a parcel within the Overlay District, the City Council, for good cause shown, may approve a greater density or intensity of use than that which exists within the Overlay District.”

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The subject parcel is approximately 170 feet wide and is located on a primary arterial street with a width of 100 feet and is 782 feet west from the intersection of another primary arterial street. The properties located between this parcel and the intersections are all zoned for commercial uses. The parcel to the west is zoned and developed as a multi-family project. Staff finds that the proposed General Plan Amendment and Rezoning application requests are appropriate and compatible for the area. Therefore, staff recommends approval of both the General Plan Amendment and the Rezoning applications.

FINDINGS (GPA-64773)

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 intensity allowed under the proposed SC (Service Commercial) land use designation is compatible with the adjacent GC (General Commercial) land use designation on the east. The 40-foot wide drainage easement on the south and the 100-foot wide right-of-way of Charleston Boulevard on the north provide buffers for the single family residential neighborhoods. This designation allows C-1 (Limited Commercial), O (Office) and P-O (Professional Office) zoning districts.

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

The zoning designations allowed by the proposed amendment are compatible with the existing land use and zoning designations adjacent on the west (Multi-Family Residential) and east (Offices and Auto Repair) of the parcel. The adjacent Single Family, Detached parcels on the north and south have adequate buffers to provide protection from any possible negative effects.

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 location is a mature urban location with the required infrastructure to support the request. The site is located on Charleston Boulevard, a 100-foot wide Primary Arterial street.

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

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All applicable plans and policies are met with the proposed amendment.

FINDINGS (ZON-64774)

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.

The proposed C-1 (Limited Commercial) zoning district is consistent with and permitted with the related, proposed SC (Service Commercial) General Plan designation for this site.

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 uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning districts.

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

The proposed C-1 (Limited Commercial) is an appropriate zoning designation, which will allow conformance with the proposed SC (Service Commercial) designation under the Southwest Sector Plan of the General Plan.

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 is located on Charleston Boulevard, a 100-foot wide Primary Arterial street. This is adequate in size to handle the expected traffic generated from a commercial development on the subject site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/19/86	The City Council approved a petition for Annexation (A-0009-85) for 1,509 acres of land, including a portion of the subject site. The effective date of the annexation was 03/28/86.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/01/96	The City Council approved a request for a Rezoning (Z-0034-96) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval on 04/11/96.
09/08/97	The City Council approved a request for a Reinstatement and Extension of Time [Z-0034-96(1)] for an approved restaurant, lounge and mini-storage facility on the subject site. The Planning Commission recommended approval on 08/14/97.
09/03/03	The City Council approved a request for a General Plan Amendment (GPA-2479) from: SC (Service Commercial) to: GC (General Commercial) on 5.37 acres adjacent to the south side of Charleston Boulevard, approximately 610 feet west of Rainbow Boulevard. This request originally included the subject parcel, but was removed at the City Council meeting prior to approval. The Planning Commission and staff recommended denial of the request.
	The City Council approved a request for a Rezoning (ZON-2480) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone and C-1 (Limited Commercial) Zone to C-2 (General Commercial) Zone adjacent to the south side of West Charleston Boulevard, approximately 610 feet west of Rainbow Boulevard. The Planning Commission and staff recommended denial of the request.
01/08/04	The Planning Commission denied a request for a Site Development Plan Review (SDR-3404) for a proposed Auto Inventory Storage Facility and Waivers to parking lot landscaping requirements and for a reduction of perimeter landscaping adjacent to the south side of Charleston Boulevard, approximately 770 feet west of Rainbow Boulevard. Staff recommended denial of the request.
	The Planning Commission denied a request for a Special Use Permit (SUP-3407) for a proposed Auto Inventory Storage Facility adjacent to the south side of Charleston Boulevard, approximately 770 feet west of Rainbow Boulevard. Staff recommended denial of the request.
02/17/16	The City Council approved a request for a General Plan Amendment (GPA-62262) from SC (Service Commercial) to M (Medium Density Residential) on property located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Rezoning (ZON-62263) from C-1 (Limited Commercial) to R-TH (Single Family Attached) on 2.54 acres located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard
07/12/16	Due to a notification error this item was not acted upon as a part of the 07/12/16 Planning Commission meeting and has been scheduled for a Special Planning Commission meeting date.

<i>Most Recent Change of Ownership</i>	
09/10/13	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
03/11/09	A Code Enforcement case (#75520) was processed graffiti and vagrants on property located at 6909 West Charleston Boulevard. The case was resolved on 05/22/09.
04/28/10	A Code Enforcement case (#89910) was processed for trash, debris, vagrant camp and graffiti at 6909 West Charleston Boulevard. The case was resolved on 05/26/10.

<i>Pre-Application Meeting</i>	
05/24/16	A pre-application meeting was conducted with the applicant to go over the application materials and submittal requirements for a General Plan Amendment and Rezoning request.

<i>Neighborhood Meeting</i>	
06/30/16	A neighborhood meeting was held at the location of 6301 West Charleston Boulevard at 5:30pm to discuss the proposed General Plan Amendment and Rezoning on property located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard, Assessor's Parcel 163-03-501-006. There was one representative from the applicant, three members of the applicants' development team, one Council Ward 1 Liaison and two members of the public. Concerns were raised regarding the following matters: - Concerns were raised regarding what uses are allowed in the proposed C-1 (Limited Commercial) zoning district. The applicants' representative indicated the C-1 zoning district is for low to medium intensity commercial land uses. - Concerns were raised regarding the proposed development on the subject site. The applicants' representative and members of the development team indicated there was no proposed development for the subject site at this time.

<i>Field Check</i>	
06/02/16	Staff noted that the subject site is an undeveloped vacant lot with some weeds and debris and multiple political advertisement signs on the northern perimeter adjacent to Charleston Boulevard. A large 40-foot wide drainage easement went along the entire south perimeter. There is a multi-family development fully built to the west of the parcel, an office and auto repair business to the east of the property and large, single family dwellings on the south of the parcel, across from the drainage easement. Located on the north side of Charleston Boulevard were smaller, single family dwellings.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.54

<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	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

<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>
South	Single Family, Detached	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Office, Medical or Dental	GC (General Commercial)	C-2 (General Commercial)
	Auto Repair Garage, Major		
West	Multi-Family Residential	M (Medium Density Residential)	R-PD19 (Residential Planned Development – 19 Units per Acre)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
Rural Preservation Overlay District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
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

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-TH (Single Family Attached)	25.49 DUA	64
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-1 (Limited Commercial)	Zero*	Zero*
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
M (Medium Density Residential)	25.49 DUA	64
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
SC (Service Commercial)	Zero*	Zero*

*A Mixed Use development with a residential component may be permitted.

<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>
Charleston Boulevard	Primary Arterial	Planned Streets and Highways Map	100	Y