



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: JULY 9, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: TRI POINTE HOMES - OWNER: B-NWI2, LLC
ET AL**

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0254-GPA1	Staff recommends DENIAL.	
24-0254-ZON1	Staff recommends DENIAL.	24-0254-GPA1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

NOTICES MAILED 58

PROTESTS 0

APPROVALS 0

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a General Plan Amendment and Rezoning on 28.27 acres on the north side of Kyle Canyon Road, approximately 336 feet west of the Alpine Ridge Way alignment.

ISSUES

- The applicant has requested a General Plan Amendment (24-0254-GPA1) from PCD (Planned Community Development) to MLA (Medium Low Density Residential - Attached). Staff recommends denial of the request.
- The applicant has requested a Rezoning (24-0254-ZON1) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-TH (Single Family Attached). Staff recommends denial of the request.

ANALYSIS

The subject site is comprised of seven undeveloped parcels totaling 28.27 acres. The site is currently zoned U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] with a PCD (Planned Community Development) General Plan Designation and is subject to the development standards outlined in Title 19.

The subject site is located on the north side of Kyle Canyon Road, approximately 336 feet west of the Alpine Ridge Way alignment. The site is bordered by undeveloped parcels to the west, north and east with similar zoning and General Plan designations. The south perimeter of the site is bordered by the Kyle Canyon road alignment.

The applicant has proposed a General Plan Amendment (24-0254-GPA1) from PCD (Planned Community Development) to MLA (Medium Low Density Residential - Attached). The Medium Low Density Residential - Attached category generally permits multi-family attached units including plexes, townhouses, condominiums, and low-density apartments appropriate for residential portions of a Village Center or Town Center transitional uses, and local supporting uses including parks, schools, or churches up to 12.50 dwelling units per acre. The land use designation allows the R-TH (Single Family Attached), R-2 (Medium-Low Density Residential), R-MH (Mobile/Manufactured Home) and PD (Planned Development) zoning districts.

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In addition, the applicant has proposed Rezoning (24-0254-ZON1) the subject site from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-TH (Single Family Attached). The purpose of the R-TH zoning district is to accommodate single family attached residences with designs and densities that transition between multi-family and single family uses. The R-TH district is consistent with the policies of the Medium Density Residential category of the General Plan.

Staff has determined that since the subject site and the surrounding area to west, north and east are undeveloped properties with similar zoning and General Plan designations; the applicants request for a General Plan Amendment and Rezoning is representative of “leapfrog development”. Leapfrog development is defined as the process of “developers skipping over properties to obtain land further out, leaving vacant tracts behind.” This process is one manifestation of the broader phenomenon of urban sprawl.

Also, the proposed MLA (Medium Low Density Residential - Attached) General Plan Designation and R-TH (Single Family Attached) zoning district is not located anywhere near the subject site, which is representative of “spot zoning”. Spot zoning is defined as “when a small parcel of land receives zoning that is different than the surrounding properties.” This process is frowned upon because it may provide favoritism toward a particular land owner. Additionally, there are not adequate transportation, recreation, utility, or other facilities present in the surrounding area at this time. Therefore, staff recommends denial of the requested General Plan Amendment (24-0254-GPA1) and Rezoning (24-0254-ZON1).

FINDINGS (24-0254-GPA1)

Section 19.16.030(l) 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 MLA (Medium Low Density Residential - Attached) General Plan designation which has an allowable density of 12.50 dwelling units per gross acre, is not consistent and harmonious with the existing PF (Public Facility) and PCD (Planned Community Development) General Plan Designation land uses to the north, west and east.

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

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The MLA (Medium Low Density Residential - Attached) General Plan land use designation allows R-TH (Single Family Attached), R-2 (Medium-Low Density Residential), R-MH (Mobile/Manufactured Home) and PD (Planned Development) zoning districts. The applicant has proposed a Rezoning (24-0254-ZON1) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to R-TH (Single Family Attached) on the subject site, which is not consistent with the surrounding area.

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

Currently, there are not adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment to the MLA (Medium Low Density Residential - Attached) General Plan land use designation. The City of Las Vegas is currently engaged in refining the Master Plan for the Kyle Canyon Area with regards to proposed vehicular right-of-way alignments, open space, parks, residential densities and location of commercial land uses.

- 4. The proposed amendment conforms to other applicable adopted plans and policies.**

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

FINDINGS (24-0254-ZON1)

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 R-TH (Single Family Attached) zoning district conforms to the proposed MLA (Medium Low Density Residential - Attached) General Plan designation which allows four zoning districts: R-TH (Single Family Attached), R-2 (Medium-Low Density Residential), R-MH (Mobile/Manufactured Home) and PD (Planned Development) zoning districts.

- 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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The residential uses allowed in the proposed R-TH (Single Family Attached) zoning district are not compatible with the existing surrounding undeveloped parcels located on larger lots that are zoned U (Undeveloped) located to the west, north and east within the area.

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

There are no growth or development factors in the community that indicate the proposed R-TH (Single Family Attached) is appropriate for 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.

Street and highway facilities providing access to the property are not adequate in size to meet the requirements of the proposed zoning district. The subject site is located adjacent to the Kyle Canyon Road alignment, approximately 336 feet west of the intersection with Alpine Ridge Way. Currently, the Kyle Canyon Road alignment has not been developed west of Alpine Ridge Way, so the subject site has no vehicular access.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/01/05	The City Council approved Annexation (ANX-5528) petition to Annex approximately 529 acres of land, generally located north of Iron Mountain Road and west of Hualapai Way.
10/11/22	The Planning Commission accepted a request to withdraw without prejudice a request for a General Plan Amendment (22-0267-GPA1) from PCD (Planned Community Development) to M (Medium Density Residential) [APNs: 126-01-201-011 and 012] and from PCD (Planned Community Development) to H (High Density Residential) [APNs: 126-01-301-005 through 007 and 126-01-301-014 through 015] on 28.27 acres located on the north side of Kyle Canyon Road, approximately 336 feet west of Alpine Ridge Way.
	The Planning Commission accepted a request to withdraw without prejudice a request for a Rezoning (22-0267-ZON1) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to R-TH (Single Family Attached) [APNs: 126-01-201-011 and 012] and from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to R-4 (High Density Residential) [APNs: 126-01-301-005 through 007 and 126-01-301-014 through 015] on 28.27 acres located on the north side of Kyle Canyon Road, approximately 336 feet west of Alpine Ridge Way.
	The Planning Commission accepted a request to withdraw without prejudice a request for a Variance (22-0267-VAR1) to allow a connectivity ratio of 1.25 where 1.30 is required and to allow stub street termini where a cul-de-sac or hammerhead is required on 28.27 acres located on the north side of Kyle Canyon Road, approximately 336 feet west of Alpine Ridge Way.
	The Planning Commission accepted a request to withdraw without prejudice a request for a Tentative Map (22-0267-TMP1) - Kyle Canyon Townhomes - for a proposed 112-lot single-family attached residential subdivision [APNs: 126-01-201-011 and 012].

<i>Most Recent Change of Ownership</i>	
02/21/02	A deed was recorded for a change in ownership. (APNs: 126-01-301-006 and 014)
10/01/09	A deed was recorded for a change in ownership. (APNs: 126-01-301-005, 007 and 015)
03/30/11	A deed was recorded for a change in ownership. (APN: 126-01-201-011)
04/23/12	A deed was recorded for a change in ownership. (APN: 126-01-201-012)

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<i>Related Building Permits/Business Licenses</i>

There are no Building Permits or Business Licenses associated with the subject site.

<i>Pre-Application Meeting</i>

05/07/24	A pre-application meeting was held with the applicant to discuss submittal requirements for General Plan Amendment and Rezoning applications.
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<i>Neighborhood Meeting</i>

06/10/24	<p>A neighborhood meeting was held at Findlay Honda Car Dealership – Meeting Room at 7494 West Azure Drive, Las Vegas, NV 89130, at 5:30pm to discuss the proposed General Plan Amendment and Rezoning. In attendance were four members of the public, three representatives for the applicant, Ward 6 Planning Commissioner Taylor, and one member of City staff in attendance.</p> <p>The following is a list of questions, concerns and comments from the attendants of the meeting:</p> <ul style="list-style-type: none"> • What are the lot sizes of the proposed single family portion of the development? • What is the timeline of the development? • These are new elevations by TriPointe Homes and will not be the same as what is currently under construction. • The townhomes will have a price point in 400's and the single family homes will be priced in the 800's.
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<i>Field Check</i>

05/23/24	During a routine site inspection staff noted that the subject site is undeveloped with natural desert vegetation. Staff noted that there was small amounts of trash and debris present around the northern and western perimeter of the site.
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<i>Details of Application Request</i>

<i>Site Area</i>

Gross Acres	28.27
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<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)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
North	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
South	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
West	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
		PF (Public Facility)	C-V (Civic)

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Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Kyle Canyon	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Existing Zoning	Permitted Density	Units Allowed
U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]	1 dwelling per lot	1 dwelling per lot
Proposed Zoning	Permitted Density	Units Allowed
R-TH (Single Family Attached)	1 dwelling per lot	1 dwelling per lot
Existing General Plan	Permitted Density	Units Allowed
PCD (Planned Community Development)	< 8.00 du/acre	226
Proposed General Plan	Permitted Density	Units Allowed
MLA (Medium Low Density Residential - Attached)	< 12.50 du/acre	353