



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: MAY 15, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: KARDIA PROPERTIES, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0102-GPA1	Staff recommends APPROVAL.	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 149 (by City Clerk)

PROTESTS 0

APPROVALS 1 - 24-0102-GPA1

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a city-initiated General Plan Amendment request for an undeveloped 1.49-acre site located on the south side of Harris Avenue between Lilly Lane and Effinger Street.

ISSUES

- A General Plan Amendment (24-0102-GPA1) is requested from TOD-2 (Transit Oriented Development - Low) to H (High Density Residential). Staff supports the request.
- This amendment will increase the allowed density for the subject site from a maximum of 30 dwelling units per acre to an allowed unlimited density.
- This General Plan Amendment request is associated with Site Development Plan Review (24-0049-SDR1) for a proposed Senior Citizen Apartment development.
- The proposed Senior Citizen Apartment development is an affordable housing project that supports the City of Las Vegas 2050 Master Plan.

ANALYSIS

The subject undeveloped site is zoned R-4 (High Density Residential) with a TOD-2 (Transit Oriented Development - Low). It is subject to Title 19 development standards. The surrounding area includes an existing Multi-Family residential development on property adjacent to the west and an existing Senior Citizen Apartment development on property adjacent to the south. The properties adjacent to the east are zoned R-E (Residence Estates) and developed with existing single-family dwellings. The property adjacent to the north is developed with an existing primary school. A developer has proposed to develop the subject site with a 60-unit Senior Citizen Apartment development. This subject site has gone through the following changes in recent years:

- The City Council approved General Plan Amendment (GPA-78413) on June 17, 2020 to amend the land use designation from L (Low Density Residential) to H (High Density Residential).
- The City Council approved Site Development Plan Review (SDR-78417) on June 17, 2020 for a proposed 53-Unit Multi-Family Residential development. (This entitlement will be expunged as a condition of approval for Site Development Plan Review 24-0049-SDR1.)
- The City Council approved a city initiated General Plan Amendment (21-0029-GPA1) on June 2, 2021 to amend the land use designation from H (High Density Residential) to TOD-2 (Transit Oriented Development-Low).

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On July 21, 2021, the City of Las Vegas adopted Ordinance #6788 to adopt the City of Las Vegas 2050 Master Plan. This plan introduced new land use “place types” that reassigned various parcels, including the subject property, to a new land use designation. This ordinance prevents changes or adjustments at the instance of property owners other than the City of Las Vegas until August 1, 2024. In order to help facilitate the proposed Senior Citizen Apartment development, the City of Las Vegas Department of Community Development is initiating the subject General Plan Amendment request. This amendment will allow the developer to maximize the subject property with a needed affordable housing development.

While this location is conducive of transit-oriented development given the proximity of Eastern Avenue and proposed high capacity transit by the Regional Transportation Commission of Southern Nevada, surrounding uses, both current and former (including this parcel), are or have been designated for high-density residential development. Given the size of the site, the density necessitated for the project, and the demonstrated need for affordable housing discussed in both the Master Plan and special area plan for East Las Vegas, this amendment is appropriate and is justified.

The R-4 District is intended to allow for the development of high density multi-family units within the downtown urban core and in other high intensity areas suitable for high density residential development. The R-4 District is consistent with the policies of the High Density Residential category of the General Plan. With the current land use designation of TOD-2 (Transit Oriented Development - Low), the maximum allowed density is 30 dwelling units per acre which equates to 44 dwelling units for the subject site. An amendment to the H (High Density Residential) land use designation will allow for densities over 25.5 dwelling units per acre with no maximum density cap.

The subject site is located within the City of Las Vegas 2050 Master Plan East Las Vegas Area. A key priority for this area is to redevelop substandard housing stock with affordable, high-quality housing. The proposed amendment supports the City of Las Vegas 2050 Master Plan and will allow the construction of a quality affordable housing development. Therefore, staff recommends approval of the requested General Plan Amendment.

FINDINGS (24-0102-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,**

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The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations, which includes TOD-2 (Transit Oriented Development - Low) and PF (Public Facilities).

- 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 surrounding zoning districts, which include R-E (Residence Estates), C-V (Civic) and R-3 (Medium Density Residential).

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

There are adequate facilities to accommodate the uses and densities that would be permitted with the approval of the General Plan Amendment.

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

The proposed General Plan Amendment is consistent with the adopted 2050 City of Las Vegas Master Plan by allowing for increased density to support an affordable housing development.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
06/20/01	The City Council approved a Special Use Permit and Site Development Plan Review (U-0053-01) for a proposed 12,289 square-foot church on the southeast corner of Harris Avenue and Shelby Street (APNs 139-25-410-001 and 002). Planning Commission recommended approval.
	The City Council approved a Variance (V-0029-01) to allow a 30-foot front yard setback where 50 feet is required on the southeast corner of Harris Avenue and Shelby Street (APNs 139-25-410-001 and 002). Planning Commission recommended approval.
02/13/06	Code Enforcement processed a case (CE-38358) for a vacant lot with high weeds at the middle of Lilly Lane, south side of Harris Avenue and Lily Lane (APN 139-25-410-002). The case was resolved on 04/03/06.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
12/10/07	Code Enforcement processed cases (CE-60468, CE-60469, and CE-60470) for a vacant lot with debris and trash with a surrounding fence falling down at the northeast corner of Harris Avenue and Lilly Lane (APN 139-25-410-001, 002, and 009). The cases were resolved on 01/16/08.
05/09/08	Code Enforcement processed a case (CE-65428) for vehicles stored on a vacant lot at the corner of Harris Avenue and Effinger Street (APN 139-25-410-009). The case was resolved on 05/27/08.
12/26/09	Code Enforcement processed a case (CE-85195) for commercial vehicles stored on a vacant lot (APN 139-25-410-002). The case was resolved on 02/03/10.
01/19/10	Staff administratively approved a Temporary Commercial Permit (TCP-37213) for a temporary contractor's construction yard for McKnight Senior Village II. The permit was completed on 05/17/18.
05/14/19	Code Enforcement processed a Case (CE-200095) for an RV parked on a vacant lot with people living in it on the southeast corner of Harris Avenue and Shelby Street (APN 139-25-410-001). The case was resolved on 07/17/19.
05/15/19	Code Enforcement processed a case (CE-200147) for an RV parked on a vacant lot with people living in it on the southeast corner of Harris Avenue and Shelby Street (APN 139-25-410-001). The case was resolved on 07/17/19.
01/28/20	Code Enforcement processed a case (CE20-00440, CE20-00441, and CE20-00442) for homeless encampments on a lot at the corner of Harris Avenue and Lilly Lane. The cases were resolved on 02/27/20.
06/17/20	The City Council approved a General Plan Amendment (GPA-78413) From: L (Low Density Residential) To: (High Density Residential). The Planning Commission recommended approval.
	The City Council approved a Rezoning (ZON-78414) From: R-E (Residence Estates) To: R-4 (High Density Residential). The Planning Commission recommended approval.
	The City Council approved a Variance (VAR-78416) to allow 68 parking spaces where 95 parking spaces are required. The Planning Commission recommended approval.
	The City Council approved a Site Development Plan Review (SDR-78417) for a proposed three story, 53-unit multi-family residential development with a Waiver of the perimeter landscape buffer requirements. The Planning Commission recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
06/02/21	The City Council approved a city-initiated General Plan Amendment (21-0029-GPA1) request to adopt the City Of Las Vegas 2050 Master Plan and amend the City Of Las Vegas General Plan from various categories to TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), or NMXU (Neighborhood Center Mixed Use) within the City Of Las Vegas.
08/03/22	The City Council approved Extension of Time Requests (22-0275-EOT1 and EOT2) for previously approved entitlements Site Development Plan Review (SDR-78417) and Variance (VAR-78416). Planning Staff recommended approval.
10/16/23	Code Enforcement Case #CE23-07285 was opened regarding a homeless encampment at the subject site. The case was resolved as of 10/26/23.
11/09/23	Code Enforcement Case # CE23-08035 was opened regarding a homeless encampment at the subject site. The case was resolved as of 11/30/23.
01/29/24	Code Enforcement Case #CE24-00462 was opened regarding a homeless encampment at the subject site. The case was resolved as of 02/05/24.
02/21/24	Code Enforcement Case #CE24-00866 was opened regarding a homeless encampment at the subject site. The case remains open.
4/9/24	The Planning Commission voted (7-0) to APPROVE For possible action on a Land Use Entitlement project request FROM: TOD-2 (TRANSIT ORIENTED DEVELOPMENT - LOW) TO: H (HIGH DENSITY RESIDENTIAL) on 1.49 acres located on the south side of Harris Avenue between Lilly Lane and Effinger Street (APN 139-25-410-046), Ward 3 (Diaz). Staff recommends APPROVAL.

<i>Most Recent Change of Ownership</i>	
02/13/20	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
02/17/21	A Building Permit (PRC21-00037) for a three story, 52-unit multi-family residential building with attached clubhouse was submitted for review. The permit is listed as expired as of 11/06/23.
02/24/21	Civil Improvement Plans (L21-00315) for grading, flatwork, sidewalks, asphalt parking lot, landscaping, utilities and building construction were submitted for review. The permit is listed as expired as of 10/29/22.

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Pre-Application Meeting	
01/23/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Senior Citizen Apartment development.
01/30/24	A follow-up meeting was held with the applicant to discuss options for a General Plan Amendment.

Neighborhood Meeting	
03/25/24	<p>Meeting Start Time: 5:30 pm Meeting End Time: 6:30 pm</p> <p>Attendance:</p> <ul style="list-style-type: none"> • 3 Applicant Representatives • 5 Members of the Public • 1 Ward 3 Staff Member • 1 Department of Community Development Staff Member

Neighborhood Meeting	
03/25/24	<p>The applicant representative opened the meeting by giving an overview of the proposed development. The floor was then opened for comments and questions.</p> <p>Comments/Questions</p> <ul style="list-style-type: none"> • Question raised about how site would be accessed. • Question raised about the number of proposed units. • Concern raised regarding school traffic impact. • Question raised regarding who the current property owner is. (Applicant Rep. stated the property is intended to be sold in April to the applicant) • Question raised about status of previously approved development for the site. • Comment made that Senior Apartments will be more compatible than the previously proposed Multi-Family development. • Comment made regarding homeless and property upkeep issues. <p>The applicant concluded the meeting by detailing the process going forward.</p> <p>Overall, those in attendance were in support of the project.</p>

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Field Check	
02/29/24	Staff conducted a routine field check and found an undeveloped lot surrounded by chain-link fencing. An unhoused person was observed.

Details of Application Request	
Site Area	
Net Acres	1.49

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	TOD-2 (Transit Oriented Development - Low)	R-E (Residence Estates)

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
North	Public or Private School, Primary	PF (Public Facilities)	C-V (Civic)
South	Multi-Family Residential	TOD-2 (Transit Oriented Development - Low)	R-3 (Medium Density Residential)
East	Single Family, Detached	TOD-2 (Transit Oriented Development - Low)	R-E (Residence Estates)
West	Multi-Family Residential	TOD-2 (Transit Oriented Development - Low)	R-3 (Medium Density Residential)

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<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: East Las Vegas	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Area or Overlay Districts	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
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

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-4 (High Density Residential)	Unlimited*	44*
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
N/A	N/A	N/A
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
TOD-2 (Transit Oriented Development - Low)	<30 du/ac	44
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
H (High Density Residential)	25.49+ du/ac	Unlimited

*Maximum dwelling units per acre (DUA) is determined by the underlying General Plan Designation and may not exceed the density permitted under said designation.

<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>
Harris Avenue	Local Street	Title 13	85	Y
Lilly Lane	Local Street	Title 13	20	Y
Effinger Street	Local Street	Title 13	60	Y