

*City of Las Vegas***AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: DECEMBER 18, 2020

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: BRITTANY MEGRATH - OWNER: PHILIP DAVIS

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>20-0102-GPA1</b>	Staff recommends APPROVAL.	
<b>20-0102-ZON1</b>	Staff recommends APPROVAL.	20-0102-GPA1

**\*\* NOTIFICATION \*\*****NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 34**NOTICES MAILED** 160 (By City Clerk)**PROTESTS** 5**APPROVALS** 0

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a General Plan Amendment from DR (Desert Rural Density Residential) to M (Medium Density Residential); and a request to Rezone from R-E (Residence Estates) to R-3 (Medium Density Residential) on a portion of 5.00 acres located on the south side of Inyo Avenue, approximately 90 feet west of Bristle Falls Street.

**ISSUES**

- A Site Development Plan Review has not been submitted for this site that would exhibit more specific development characteristics.

**ANALYSIS**

The site is located in the Centennial Hills Sector within an area that is located adjacent to the 215 Clark County Highway and is surrounded by commercial and single-family residential land uses. The neighboring lots to the north and west are zoned C-1 (Limited Commercial) and lots to the east adjacent to Bristle Falls Street are zoned R-CL (Single Family Compact-Lot).

The subject site consists of one 5.00 acre parcel zoned R-E (Residence Estates) with a DR (Desert Rural Density Residential) General Plan land use designation. The R-E (Residence Estates) zoning district is intended to provide for low density residential units located on large lots and conveying a rural environment.

The R-E (Residence Estates) district is consistent with the DR (Desert Rural Density Residential) category of the General Plan. The predominant lifestyle feature of these residential areas is single-family homes on large lots, many including equestrian facilities. This is a generally rural environment that permits greater privacy and some noncommercial raising of domestic animals. This category allows up to 2.49 units per acre. The DR (Desert Rural Density Residential) General Plan land use designation allows the U (Undeveloped) and R-E (Residence Estates) zoning districts.

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The applicant has submitted a request for a General Plan Amendment (20-0102-GPA1) from DR (Desert Rural Density Residential) to M (Medium Density Residential). The M (Medium Density Residential) General Plan land use designation allows the R-TH (Single Family Attached), R-2 (Medium-Low Density Residential) and R-3 (Medium Density Residential) zoning districts. The M (Medium Density Residential) General Plan land use designation is intended to allow for the development of multi-family units such as duplexes, townhouses, and low-density apartments. This category allows 25.49 or more units per acre. Staff has determined that the more dense allowable residential land uses are consistent with the adjacent SC (Service Commercial) and ML (Medium-Low Density Residential) General Plan land uses surrounding the subject site.

In addition, the applicant has requested an associated Rezoning (20-0102-ZON1) from R-E (Residence Estates) to R-3 (Medium Density Residential). The R-3 (High Density Residential) is intended to allow for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Medium Density Residential) zoning district is consistent with the proposed M (Medium Density Residential) category of the General Plan.

Staff has determined the proposed M (Medium Density Residential) General Plan designation and R-3 (Medium Density Residential) zoning district are compatible and harmonious with the existing C-1 (Limited Commercial) and R-CL (Single Family Compact-Lot) developments in the area; therefore, staff recommends approval of these applications.

**FINDINGS (20-0102-GPA1)**

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 M (Medium Density Residential) General Plan designation will allow for the development of multi-family units such as duplexes, townhouses, and low-density apartments, which is consistent with the adjacent SC (Service Commercial) and ML (Medium-Low Density Residential) general plan land uses surrounding the subject site.

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

The M (Medium Density Residential) General Plan land use designation allows the R-TH (Single Family Attached), R-2 (Medium-Low Density Residential) and R-3 (Medium Density Residential) zoning districts. The applicant has proposed a Rezoning (20-0102-ZON1) from R-E (Residence Estates) to R-3 (Medium Density Residential) on the subject site, which is consistent with the proposed M (Medium Density Residential) General Plan designation.

- 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 site is directly adjacent to Inyo Avenue, which is designated as a Local Street as designated by Title 13; and provides access to transportation and recreational facilities to accommodate the subject site.

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

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

**FINDINGS (20-0102-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.**

If approved, the proposed Rezoning from R-E (Residence Estates) to R-3 (Medium Density Residential) would be in conformance with the proposed M (Medium Density Residential) General Plan Designation under the Centennial Hills Sector Plan 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.**

Staff has determined that the proposed R-3 (Medium Density Residential) zoning district is consistent with the proposed M (Medium Density Residential) General Plan land use designation, the allowable Medium Density Residential land uses are compatible with the existing C-1 (Limited Commercial) and R-CL (Single Family Compact-Lot) zoning districts which surrounds the site.

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

Development of the adjacent C-1 (Limited Commercial) and R-CL (Single Family Compact-Lot) zoning districts which surrounds the site warrant the proposed R-3 (Medium Density Residential) zoning district on 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.**

The site is accessed by Inyo Avenue, a 47-foot Local Street as designated by the Title 13, which will provide adequate capacity to serve the subject site.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
05/03/17	The City Council approved a request for a Petition of Annexation (ANX-67648) to annex 5.00 acres on the south side of Inyo Avenue, approximately 110 feet west of Bristle Falls Street.
10/13/20	<p>The Planning Commission unanimously voted to recommend <b><i>DENIAL</i></b> of the following Land Use Entitlement project requests on a portion of 5.00 acres located on the south side of Inyo Avenue, approximately 90 feet west of Bristle Falls Street (APN 125-19-301-012), Ward 6 (Fiore).</p> <p><b>20-0102-GPA1</b> - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL).</p> <p><b>20-0102-ZON1</b> - FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL).</p>
11/18/20	<p>The City Council voted to accept the applicant's request to HOLD IN ABEYANCE to the December 16, 2020 City Council meeting the following the following Land Use Entitlement project requests on a portion of 5.00 acres located on the south side of Inyo Avenue, approximately 90 feet west of Bristle Falls Street (APN 125-19-301-012), Ward 6 (Fiore).</p> <p><b>20-0102-GPA1</b> - FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL).</p> <p><b>20-0102-ZON1</b> - FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL).</p>

<b><i>Most Recent Change of Ownership</i></b>	
06/17/20	A deed was recorded for a change in ownership.

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<b><i>Related Building Permits/Business Licenses</i></b>
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There are no Building Permits or Business Licenses associated with the subject site.
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<b><i>Pre-Application Meeting</i></b>
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02/18/20	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 on the subject site.
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<b><i>Neighborhood Meeting</i></b>
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09/24/20	<p>A neighborhood meeting was held at City Hall at 495 North Main Street, at 5:30pm to discuss the proposed General Plan Amendment and Rezoning at the subject site, Assessor's Parcel 125-19-301-012.</p> <p>The meeting was attended by one staff member. There were two (2) members of the public in attendance and the following concerns were raised:</p> <ul style="list-style-type: none"> <li>• Where will access to the site come from? <ul style="list-style-type: none"> <li>○ The applicant indicated the site will be accessed from Bristle Falls Street and Conquistador Street.</li> </ul> </li> <li>• Additional residential units on the subject site will create traffic issues on Bristle Falls Street and Conquistador Street, which are narrow residential streets. <ul style="list-style-type: none"> <li>○ The applicant indicated they intend on developing a residential development that will be built at grade and match the surrounding development.</li> </ul> </li> </ul>
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<b><i>Field Check</i></b>
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03/05/20	Staff conducted a routine site visit and found the subject site to be an undeveloped parcel of land with desert vegetation throughout the site.
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<b><i>Details of Application Request</i></b>
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<b><i>Site Area</i></b>
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Gross Acres	5.00
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<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	215 Freeway	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Single Family Detached Dwellings	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
No Applicable Master Plan Area	N/A
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
No Applicable Special Area or Overlay Districts	N/A
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails – Multi Use Non Equestrian	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**

***Pursuant to Title 19.06.110, the following standards apply:***

<b><i>Standard</i></b>	<b><i>Required/Allowed</i></b>
Min. Lot Size	6,500 SF
Min. Lot Width	N/A
Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	10 Feet 5 Feet 5 Feet 20 Feet
Minimum Distance Between Buildings	10 Feet
Max. Lot Coverage	13-50 <sup>1</sup>
Max. Building Height	N/A

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

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<b><i>Existing Zoning</i></b>	<b><i>Permitted Density</i></b>	<b><i>Units Allowed</i></b>
R-E (Residence Estates)	N/A	12
<b><i>Proposed Zoning</i></b>	<b><i>Permitted Density</i></b>	<b><i>Units Allowed</i></b>
R-3 (Medium Density Residential)	13-50	Determined by Underlying General Plan Designation
<b><i>Existing General Plan</i></b>	<b><i>Permitted Density</i></b>	<b><i>Units Allowed</i></b>
DR (Desert Rural Density)	2.49	12
<b><i>Proposed General Plan</i></b>	<b><i>Permitted Density</i></b>	<b><i>Units Allowed</i></b>
M (Medium Density Residential)	25.49	127

<b><i>Street Name</i></b>	<b><i>Functional Classification of Street(s)</i></b>	<b><i>Governing Document</i></b>	<b><i>Actual Street Width (Feet)</i></b>	<b><i>Compliance with Street Section</i></b>
Inyo Avenue	Local Street	Title 13	47	Y