



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-24417 - APPLICANT/OWNER: BUD HOLDINGS, LLC**

---

### **\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

#### **Planning and Development**

1. This Rezoning (ZON-6510) shall expire on October 5<sup>th</sup>, 2009 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Rezoning (ZON-6510) and all other related cases and as required by the Planning and Development Department and Department of Public Works.

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

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Rezoning (ZON-6510) from R-1 (Single Family Residential), and R-1 (Single Family Residential) under resolution of intent to R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) on 0.89 acres adjacent to the east side of Dike Lane, approximately 150 feet north of Bonanza Road.

It is noted that three related extensions of time will be heard concurrently with this item and a fourth related extension of time for a Vacation petition was administratively approved.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/28/97                                                                  | The City Council approved a request for a rezoning (Z-0046-97) on property located at 706 Dike Lane, from R-1 (Single Family Residential) to R-2 (Medium-Low Density Residential). The Planning Commission and staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 07/06/99                                                                  | The Board of Zoning Adjustment approved a request for a Variance (V-0051-99) on property located at 2230 West Bonanza Road to allow an existing 90-foot high freestanding ground sign where 40 feet is the maximum height allowed in conjunction with an existing restaurant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 10/05/05                                                                  | The City Council approved a request for an approved Vacation (VAC-7679) to vacate the east five feet of a portion of Dike Lane north of Bonanza Road. The Planning Commission and Staff recommended denial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/05/05                                                                  | The City Council approved the following cases: A General Plan Amendment (GPA-6273) to amend the land-use designation on a portion of the subject property from ML (Medium-Low Density Residential) to SC (Service Commercial); a Rezoning (ZON-6510) from R-1 (Single Family Residential) and R-1 (Single Family Residential) under Resolution of Intent to R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial); a Variance (VAR-6506) from the step-back requirements listed in Title 19.08.030(C); a Variance (VAR-7665) to allow a reduction in the number of parking spaces provided; a Special Use Permit (SUP-6504) for a proposed Mixed-Use Development; a Special Use Permit (SUP-8067) to allow a 350-foot tall building where 140 feet is the maximum height allowed in the Airport Overlay Zone; and a Site Development Plan Review (SDR-6507) for a proposed mixed use development including: a 38-story tower containing 311 residential units, a 32-story tower containing 160 residential units and 40,000 square feet of commercial space adjacent to the approved vacation. The Planning Commission and staff recommended denial. |

|                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/23/06                                                     | The City Council approved a Site Development Plan Review (SDR-11707) for a proposed 12-story Mixed-Use development consisting of 300 residential units and 10,000 square feet of commercial space, with Waivers to allow a reduction of perimeter landscape requirements, and to allow a 2.3-foot Residential Adjacency setback where 540 feet is the minimum setback required, a Variance (VAR-11712) to allow 400 parking spaces where 493 are required, and a Variance (VAR-11714) to allow a 6.8-foot rear-yard setback where 20 feet is the minimum setback required, to allow a 2.3-foot side-yard setback where ten feet is the minimum setback required, to allow a five-foot corner-yard setback where 15 feet is the minimum setback allowed, to allow a maximum lot coverage of 83.6 percent where 50 percent is the maximum lot coverage allowed, and to allow a reduction of building step-back requirements adjacent to the approved vacation. Planning Commission recommended approval. Staff recommended denial. |
| 12/07/06                                                     | The Planning Department administratively approved an Extension of Time (EOT-17438) on an approved Vacation (VAC-7679) to vacate the east five feet of a portion of Dike Lane north of Bonanza Road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b><i>Related Building Permits/Business Licenses</i></b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| There are no permits or licenses related to this request.    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b><i>Pre-Application Meeting</i></b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| A pre-application meeting is not required, nor was one held. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b><i>Neighborhood Meeting</i></b>                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| A neighborhood meeting is not required, nor was one held.    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

|                                              |      |
|----------------------------------------------|------|
| <b><i>Details of Application Request</i></b> |      |
| <b><i>Site Area</i></b>                      |      |
| Net Acres                                    | 0.89 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>                    | <b>Planned Land Use</b>                        | <b>Existing Zoning</b>                                                                                                 |
|-----------------------------|---------------------------------------------|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Single Family Residential<br><br>Restaurant | MXU (Mixed Use)<br><br>SC (Service Commercial) | C-1 (Limited Commercial)<br><br>R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited Commercial) |
| North                       | Apartments                                  | MXU (Mixed Use)                                | R-PD16 (Residential Planned Development 16 Units per Acre)                                                             |
| South                       | Shopping Center                             | LI/R (Light Industry/Research)                 | C-2 (General Commercial)                                                                                               |
| East                        | Apartments Shops                            | MXU (Mixed Use)                                | C-1 (Limited Commercial)                                                                                               |
| West                        | Undeveloped Meeting Hall                    | SC (Service Commercial)                        | C-V (Civic)                                                                                                            |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Special Area Plan</b>                          |                   |                  |                          |
| Redevelopment Plan Area                           | X                 |                  | Y                        |
| West Las Vegas Plan                               | X                 |                  | Y                        |
| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>      |                   |                  |                          |
| A-O Airport Overlay District (140-Foot)           | X                 |                  | Y                        |
| <b>Trails</b>                                     |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>        |                   | X                | N/A                      |
| <b>Development Impact Notification Assessment</b> |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>           |                   | X                | N/A                      |

## ANALYSIS

This is the first extension of time request for the proposed project. The applicant has made progress on the proposed project through the approval of a new Site Development Plan Review (SDR-11707) and two related Variance (VAR-11712 and VAR-11714) applications on 03/23/06. This has caused a delay in the completion of the project and thus the extension of time applications are requested. Due to the progress that has been made, approval of this request is recommended with a two year extension. Conformance to the conditions of approval for Rezoning (ZON-6510) shall be required.

## FINDINGS

Approval of this request is recommended with a two year extension. Conformance to the conditions of approval for Rezoning (ZON-6510) shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**      N/A

**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**      N/A

**APPROVALS**      0

**PROTESTS**      0