

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-25100 - APPLICANT/OWNER: DECATUR III, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition number one of Extension of Time (EOT-20771) shall be removed. This portion of parcel (125-25-601-022) shall be zoned C-1 (LimitedCommercial).
2. Conformance to all other Conditions of Approval for Extension of Time (EOT-20771) and all other related actions as required by the Planning and Development Department and Department of Public Works shall be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition to remove Condition Number 1 of an approved Extension of Time (EOT-20771) which stated that this Rezoning (Z-0018-01) shall expire on June 6, 2008 unless another extension of time is approved on 3.6 acres at the northwest corner of Decatur Boulevard and Tropical Parkway.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/07/85	The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for Rural Density Residential land uses (if residential) with a maximum density of two dwelling units per acre.
03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan. The site was designated for M (Medium Density Residential) and SC (Service Commercial) land uses.
12/08/97	The City Council approved a General Plan Amendment (GPA-0058-97) from ML (Medium-Low Density Residential) to SC (Service Commercial), and approved a Rezoning (Z-0109-97) from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) to C-1 (Limited Commercial) on the site. The City Council also approved a Rezoning (Z-0110-97) from R-E (Residence Estates) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) to R-PD15 (Residential Planned Development - 15 Units Per Acre) on the western portion of the site. The Planning Commission and staff recommended approval.
05/24/99	The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
09/06/00	The City Council approved the Las Vegas 2020 Master Plan. This site is within the Centennial Hills Area as described in the Plan.
06/06/01	The City Council approved a General Plan Amendment (GPA-0008-01) from M (Medium Density Residential) to SC (Service Commercial) and a Rezoning (Z0018-01) from a Resolution of Intent to RPD15 (Residential Planned Development - 15 Units Per Acre) to C-1 (Limited Commercial) on this site. The Planning Commission and staff recommended approval of both items.
07/05/01	The City Council approved a Site Development Plan Review [(Z-0018-01(1), Z0109-97(1), Z-0110-97(2))] which allowed a proposed 262,640 square foot retail commercial development, which included this parcel. The Planning Commission and staff recommended approval.

07/24/03	The City Council approved Extensions of Time (EOT-2504 and EOT-2502) of an approved Rezoning (Z-0018-01) to C-1 (Limited Commercial) and a Site Development Plan Review [(Z-0018-01(1), Z0109-97(1), Z-0110-97(2))] for a proposed commercial development on this site, subject to expire on 07/05/05. The Planning Commission and staff recommended approval.
08/20/03	The City Council granted an Extension of Time (EOT-2493) of an approved Site Development Plan Review [Z-0110-97(1)] for a proposed 140-unit multi-family residential development on 9.35 acres immediately to the west of the subject property. The Planning Commission and staff recommended approval. This extension will expire 06/29/05.
08/12/04	The Planning Commission approved a Tentative Map (TMP-3624) for a two-lot commercial subdivision (Decatur III) on 27.38 acres adjacent to the northwest corner of Decatur Boulevard and Tropical Parkway. Staff recommended approval. A Final Map for this site has not been submitted.
07/06/05	The City Council approved Extensions of Time (EOT 6798 and EOT-6799) of an approved Rezoning (Z-0018-01) an approved Site Development Plan Review [(Z-0018-01(1), Z-0109-97(1), Z-0110-97(2))] for a proposed commercial development on this site.
10/18/06	The City Council tabled a General Plan Amendment (GPA-14118), Rezoning (ZON-14120), Variance (VAR-14122) and Site Development Plan Review (SDR-14114) that would have created a PCD designation with a PD zoning district to create a residential and commercial master development.
06/06/07 *	The City Council approved an Extension of Time (EOT-20771) for an approved Rezoning (Z-0018-01). This request extends the Resolution of Intent to C-1 (Limited Commercial) on 3.6 acres of the project site. Staff recommended approval.
09/19/07	The City Council approved a General Plan Amendment (GPA-22584), a Rezoning (ZON-22583), and a Site Development Plan Review (SDR-22582) on the subject property. The Planning Commission and staff recommended approval of the General Plan Amendment and Rezoning. Regarding the Site Development Plan Review: the Planning Commission recommended approval. Staff recommended denial.

<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
A pre-application meeting was not held for this case.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.6

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
North	215-Beltway	215-Beltway	215-Beltway
South	Single Family Residential	M (Medium Density Residential)	R-PD8 (Residential Planned Development 8 Units per Acre)
East	Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The applicant is requesting to remove condition number one from Extension of Time (EOT-20771). This condition set a time limit on the approved Rezoning (Z-0018-01). The request is due to the fact that the other two Rezoning requests that affect his site do not have expirations. The possibility of the expiration of the Rezoning on a small portion of the site does not coincide with the majority of the project. In the time since the original approval of the Rezoning of this property (Z-0018-01) resolutions of intent are no longer granted. Rezoning is now a hard zone action with no time limit if approved. These factors indicate that the removal of condition number one of Extension of Time (EOT-20771) is appropriate. Approval of this request is recommended. Conditions of approval have been added.

FINDINGS

Rezoning is now a hard zone action with no time limit if approved and the other Rezoning applications associated with this project do not have time limits. These factors indicate that the removal of condition number one of Extension of Time (EOT-20771) is appropriate. Approval of this request is recommended. Conditions of approval have been added.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 289

APPROVALS 0

PROTESTS 0