



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 19, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-26822 APPLICANT/OWNER: DAYCARE PARTNERS #1, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on 1/04/10 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-10104) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the first request for a two-year Extension of Time of an approved Variance (VAR-10104) to allow a 10-foot setback where a 60-foot Residential Adjacency Setback is required for a proposed single-story, 9,790 commercial building. The 0.93 acre subject site is adjacent to the southwest corner of Nellis Boulevard and Owens Avenue, 112 feet south of Owens Avenue and 152 feet west of Nellis Boulevard. This Site Development Plan Review request was initially approved by City Council on 1/04/06 with an expiration date of 1/04/08.

Two related Extensions of Time, EOT-26820 for the approved Rezoning (ZON-9892) and EOT-26821 for the approved Site Development Plan Review (SDR-9893) will be heard concurrently with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1/04/06	The City Council approved a Rezoning (ZON-9892) from C-2 (General Commercial) to C-1 (Limited Commercial); a Variance (VAR-10104) for the residential adjacency requirement and a Site Development Plan Review (SDR-9893) for a 9,790 square foot commercial building. Staff and Planning Commission recommended approval.
2/15/06	The City Council approved a request to Amend (GPA-10568) a portion of the Southeast Sector Plan of the General Plan from the GC (General Commercial) land use designation to the SC (Service Commercial) land use designation on 0.63 acres at 1575 North Nellis Boulevard. The Planning Commission and staff recommended approval.
6/29/07	Civil plans L-civil #22952 was submitted for review and is awaiting corrective action.
12/12/07	A Final Map (FMP-24109) received final technical review for Reversion to Acreage of approximately 0.93 acres at 1567 North Nellis Boulevard. NOTE: This map was released for recordation on 2/06/08.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses affiliated with this subject site.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.93 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-2 (General Commercial) Under a Resolution of Intent to C-1 (Limited Commercial)
North	Commercial/Undeveloped	Clark County	Clark County (C-2)
South	Commercial	GC (General Commercial)	C-2 (General Commercial)
East	Commercial/Undeveloped	Clark County	Clark County (C-2)
West	Single Family Residence	M (Medium Density Residential)	R-2 (Medium-Low Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

ANALYSIS

This is the first Extension of Time request for the approved Variance (VAR-10104) that was required for the associated Site Development Plan Review (SDR-9893). No building permits have been filed against the subject site. The applicant has submitted civil plans which have not received final approval as they are still in the reviewing stage awaiting corrective actions.

This Extension of Time for the required Variance (VAR-10104) will need to be approved concurrently with the Extension of Time (EOT-26821) of the approved Site Development Plan Review (SDR-9893) in order for the applicant to proceed with the proposed development. Staff has recommended approval of a two-year Extension of Time for the related Rezoning (ZON-9892) and the Site Development Plan Review (SDR-9893).

FINDINGS

This Extension of Time, if approved, will be required in order to allow the Site Development Plan Review (SDR-9893) to proceed with development; therefore staff recommends a two-year Extension of Time that will expire on 1/04/10 for the approved Variance (VAR-10104).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0