

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 2, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ROC-26882 - APPLICANT: LUIS GUTIERREZ - OWNER:
WATER STREET CENTER, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL, if approved subject to:

Planning and Development

1. Condition number 15 of Site Development Plan Review (SDR-24023) shall be removed.
2. Conformance to all other conditions of approval for Site Development Plan Review (SDR-24023) and all other site related actions shall be required.

Public Works

3. Comply with the requirements of Las Vegas Municipal Code Chapter 4.32 Traffic Signal Impact Fee prior to the issuance of permits for this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Review of Condition to remove Condition Number 15 of an approved Site Development Plan review (SDR-24023) which required that the developer contribute the remaining \$7,620 in traffic signal contribution monies. The developer is required to pay these funds prior to requesting and building permits for the proposed Commercial Development on 0.44 acres located on the south side of Bonanza Road, approximately 460 feet east of Pecos Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/07/77	The Board of City Commissioners approved a request for reclassification of property (Z-0088-77) generally located on the south side of Bonanza Road between Pecos Road and the Park Bonanza East Townhouses from R-3 (Medium Density Residential) and R-E (Residence Estates) to R-1 (Single Family Residential) and C-1 (Limited Commercial).
5/30/95	The Planning Commission approved a Plot Plan and Building Elevation Review [Z-0088-77(1)] for a proposed shopping center on property located on the south side of Bonanza Road and the east side of Pecos Road, C-1 (Limited Commercial) Zone. This action by the Planning Commission is final.
11/20/97	A request for a Site Development Plan Review Z-0080-77(4) was administratively approved to allow a 2,391 square-foot Restaurant with Drive-Through on 1.1 acres located on the south side of Bonanza Road and the east side of Pecos Road, C-1 (Limited Commercial) Zone.
3/02/05	The City Council approved a request to Amend (GPA-5082) a portion of the Southeast Sector Plan of the General Plan from L (Low Density Residential) to SC (Service Commercial), and a Site Development Plan Review (SDR-5093) for a Supper Club located on 1.58 acres south of Bonanza Road and east of Pecos Road. The Planning Commission and staff recommended approval of both requests.
12/07/05	The City Council approved a request for Site Development Plan Review (SDR-9421) for a 19,602 square-foot office building with Waiver of the building placement requirement, parking lot, foundation, and perimeter landscaping requirements on 1.5 acres along the south side of Bonanza Road approximately 300 feet east of Pecos Road. The Planning Commission recommended approval while staff recommended denial.
11/07/07	The City Council approved a request for a Site Development Plan Review (SDR-24023) for a 4,350 square-foot Commercial Building comprised of 2,450 square-feet of Retail Space and a 1,900 square-foot Restaurant on 0.44 acres located on the south side of Bonanza Road, approximately 460 feet east of Pecos Road. The Planning Commission and Staff recommended approval.

<i>Related Building Permits/Business Licenses</i>
No building permits or business licenses related with this proposed development have been filed.
<i>Pre-Application Meeting</i>
A pre-application meeting is not required, nor was one held.
<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	0.44 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped portion of developed commercial subdivision	SC (Service Commercial)	C-1 (Limited Commercial)
North	Public Right-of-Way	Public Right-of-Way	Public Right-of-Way
South	Single-Family Residential	MLA (Medium-Low Attached Residential)	C-1 (Limited Commercial) under Resolution of Intent to R-PD9 (Residential Planned Development 9 Units per Acre)
East	Restaurant	L (Low Density Residential)	C-1 (Limited Commercial)
West	Office	SC (Service Commercial)	C-1 (Limited Commercial)

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

ANALYSIS

The subject property is the remaining undeveloped portion of a commercial subdivision. There are two active businesses that flank the eastern and western sides of the proposed development. The condition of approval requiring the payment of the remaining balance of traffic signal fees was required by Public Works stemming from the Traffic Study completed as required by the Site Development Plan Review [Z-0080-77(4)].

Condition Number 15 of the Site Development Plan Review reads as follows:

15. The developer shall contribute the remaining traffic signal contribution monies required with the Traffic Study approved in accordance with Zoning Reclassification Z-80-77(4) in the amount of \$7,620 prior to the issuance of any permits.

FINDINGS

Staff finds no discernable justification for the review of Condition Number 15 to the approved Site Development Plan Review; therefore, staff recommends denial of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 231

APPROVALS 0

PROTESTS 0