



AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 04, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-27833 - EXTENSION OF TIME VARIANCE - APPLICANT:
ROSE BUD DEVELOPMENT, LLC - OWNER: BUD HOLDINGS, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-11714) shall expire on 10/05/09 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-11714) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is the first request for an Extension of Time of an approved 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 for a proposed Mixed-Use Development at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane.

There are two other Extensions of Time that accompany this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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.
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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.
10/05/07	The City Council approved an extension of time (EOT-24417) for a Rezoning (ZON-6510) from R-1 (Single Family Residential) to C-1 (Limited Commercial), an extension of time (EOT-24419) for a Special Use Permit (SUP-6504) for a proposed Mixed-Use Development, and an extension of time (EOT-24420) for 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.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<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	1.88 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	MXU (Mixed Use)	C-1 (Limited Commercial)
	Restaurant	SC (Service Commercial)	R-1 (Single Family Residential) under Resolution of Intent to C-1 (Limited

			Commercial)
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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)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (140-Foot)	X		Y*
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

**A Special Use Permit (SUP-8067) and following extension of time (EOT-24420) was approved to allow 350-foot tall building where 140 feet is the maximum height allowed in the Airport Overlay Zone.*

ANALYSIS

This is the first extension of time request for the proposed Variance (VAR-11712). The applicant has maintained the related entitlements, Rezoning (ZON-6510) and Special Use Permits (SUP-6504 and SUP-8067), receiving the requested extensions of time (EOT-24417, EOT-24419, and EOT-24420) which will expire on 10/05/09, unless another extension of time is granted.

This Variance (VAR-11714), and the related Site Development Plan Review (SDR-11707) and Variance (VAR-11712), were approved on 03/23/06 causing a coordination delay in the completion of the project. There also has been a recent change in ownership that has contributed to the time delays. The applicant has stated that he is amenable to an 18-month extension of time that will allow this Variance (VAR-11714) to match the expiration dates of all of the requested actions for this proposed Mixed-Use Development.

FINDINGS

Approval of this request is recommended with an 18-month extension of time that will expire on 10/05/09, unless another extension of time is approved. Conformance to the conditions of approval for Variance (VAR-11714) shall be required.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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