



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 2, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-28187 - EXTENSION OF TIME - WAIVER - APPLICANT:**  
**PACIFIC DESIGN CONCEPTS - OWNER: HELEN L. THOMAS TRUST**

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**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. This Waiver (WVR-12403) will expire on 06/21/10, unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Waiver (WVR-12403) and all other subsequent 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 a Two-Year Extension of Time of an approved Waiver (WVR-12403) of Title 18.12.160 to allow 125 feet between street intersections where 220 feet is the minimum separation distance required on 4.48 acres located at 6250 Rio Vista Street.

There is an additional Extension of Time (EOT-28188) request for an associated Rezoning (ZON-12399) that will be heard with this item.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
10/05/05	The City Council approved a Petition of Annexation (ANX-7604) for the subject site. Staff and the Planning Commission recommended approval on 08/11/05.
06/21/06	The City Council approved General Plan Amendment (GPA-12400) from R (Rural Density Residential) to L (Low Density Residential), a related Rezoning (ZON-12399) and a Title 18 Waiver (WVR-12403) to allow an intersection offset of 125 feet where 220 feet is required. The Planning Commission voted to approve these related actions on 05/25/06.  NOTE: A related Variance (VAR-12402) request was withdrawn without prejudice by the applicant after providing revised site plans showing compliance to Title 19.18.040.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no building permits or business licenses related to this proposal.	
<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	2.48 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Restaurant	R (Rural Density Residential)/ L (Low Density Residential)	R-E (Residence Estates) Under a Resolution of Intent to R-1 (Single Family Residential)
North	Right Of Way - Beltway CC-215	Right Of Way - Beltway CC-215	Right Of Way - Beltway CC-215
South	Single Family Residential	R (Rural Density Residential)	R-PD2 (Residential Planned Development 2 Units Per Acre)
East	Church	R (Rural Density Residential)	R-E (Rural Estates Clark County)
West	Single Family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development 3 Units Per Acre)

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

**Rural Preservation Overlay District**

The southern 50 feet of the subject site is within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential density should not be increased over two-units per acre unless good cause is shown. With only a minor portion of the subject located within the Rural Preservation Overlay District and with the approval of the Rezoning (ZON-12399) to the R-1 (Single Family Residential) zoning district this issue is moot.

**ANALYSIS**

The applicant is requesting a two-year Extension of Time for an approved Rezoning (ZON-12399). This is the first Extension of Time request since the 06/21/06 approval granted by the City Council. The applicant has not taken the steps in fully exercising the Rezoning (ZON-12399) by filing a tentative map for review or recording a final map for the proposed residential subdivision. The finalization of the Rezoning (ZON-12399) by means of the recordation of the final map is required in order to fully exercise this Waiver.

## **FINDINGS**

The proposed expansion of the commercial development remains compatible with the area. Approval of this Extension of Time request is recommended with a two-year time limit. This Waiver (WVR-12403) will expire on 06/21/10, unless another Extension of Time is approved by the City Council.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**      N/A

**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**      N/A

**APPROVALS**      0

**PROTESTS**      0