



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 6, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-28601 - EXTENSION OF TIME VARIANCE -**  
**APPLICANT: GEORGE GEKAKIS, INC. - OWNERS: SOUTHERN TRACE**  
**HOLDINGS, INC AND LAS VEGAS VENTURE HOLDING, LLC**

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

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

**Planning and Development**

1. This Variance (VAR-13429) shall expire on 08/16/10 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Variance (VAR-13429) and all other related actions as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Variance (VAR-13429) to allow a Residential Adjacency Setback of 15 feet where a 142-foot setback is the minimum required for a Senior Apartment Development on 2.14 acres adjacent to the west side of Effinger Lane, approximately 300 feet south of Harris Avenue.

It is noted that five other requests for Extensions of Time (EOT-28599; EOT-28600; EOT-28602; EOT-28603; and EOT-28604) on related entitlements shall be heard concurrently with this item. An Extension of Time (EOT-28605) for the related Vacation (VAC-13433) will be processed administratively.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
07/21/04	The City Council approved a General Plan Amendment (GPA-3670) from L (Low Density Residential) to M (Medium Density Residential), a Rezoning (ZON-3672) from: R-E (Residence Estates) to: R-3 (Medium Density Residential), and a Site Development Plan Review (SDR-3958) for a proposed 50-unit Multi-Family Residential development with a reduction in the amount of required perimeter landscaping. The Planning Commission recommended approval. Staff recommended denial.
08/16/06	The City Council approved a request for an Extension of Time (EOT-15006) of an approved Rezoning (ZON-3672) from: R-E (Residence Estates) to: R-3 (Medium Density Residential) on 2.09 acres adjacent to the northwest corner of Effinger Lane and Poppy Lane.
08/16/06	The City Council approved a request for a Site Development Plan Review (SDR-13428) for a proposed 99-unit expansion to an existing 110-unit senior citizen apartment development and a waiver of the perimeter landscape buffer requirements; a Waiver (WVR-13432) to allow a non-circular cul-de-sac; a Variance (VAR-13429) to allow a Residential Adjacency Setback of 15 feet where a 142-foot setback is required; a Variance (VAR-13430) to allow ten-foot perimeter walls where eight feet is the maximum height allowed; a Special Use Permit (SUP-13431) to allow a proposed four-story Senior Citizen Apartment Development; and a Vacation (VAC-13433) to Vacate a portion of Poppy Lane between Effinger Lane and McKnight Street. The Planning Commission recommended approval on 07/13/06.
09/13/07	An Extension of Time (EOT-23381) of an approved Vacation (VAC-13433) of a portion of Poppy Lane between Effinger Lane and McKnight Street was

	administratively approved.
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07/08/09	L-Civil Improvement Plans #28915 have been submitted for processing for a proposed apartment complex.
<b>Related Building Permits/Business Licenses</b>	
There are no building permits or business licenses related with this request.	
<b>Pre-Application Meeting</b>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required for this type of application request, nor was one held.	

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	2.14 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Senior Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential) Under a Resolution of Intent to R-E (Residence Estates)
North	Multi-Family Residential/ Single Family Residential	L (Low Density Residential)/ M (Medium Density Residential)	R-E (Residence Estates)
South	Utility Substation/ Multi-Family Residential	PF (Public Facilities)/ SC (Service Commercial)/ M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Single Family Residential/ Multi-Family Residential	L (Low Density Residential)/ M (Medium Density Residential)	R-E (Residence Estates)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

<b>Project of Regional Significance</b>		X	NA
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## **ANALYSIS**

This is the first extension of time request for the approved Variance (VAR-13429) to allow a Residential Adjacency Setback of 15 feet where a 142-foot setback is the minimum required. This Variance was submitted in conjunction with a Site Development Plan Review (SDR-13428) for a 99-unit expansion to an existing 110-unit Senior Citizen Apartment. This Variance (VAR-13429) is exercised concurrently with the completion of the related Site Development Plan Review. There has been no significant changes in the surrounding land use that would be adversely affect by the approved Variance to the Residential Adjacency Setbacks. Although a civil plan review for an apartment complex has been submitted to staff for review there has been no plan checks or building permits submitted for the proposed development.

## **FINDINGS**

This request for an extension of time of the approved Variance (VAR-13429) is deemed appropriate with a two-year time limit, which will expire on 08/16/10 unless another extension of time is granted 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