



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 5, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-29856 APPLICANT/OWNER: MARISELA CARDONA**

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

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

**Planning and Development**

1. This Rezoning (ZON-14796) shall expire on 09/06/10, unless another Extension of Time is approved by the Planning and Development Department.
2. Conformance to all conditions of approval of the Rezoning (ZON-14796) 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 Rezoning (ZON-14796) from R-E (Residence Estates) to R-PD5 (Residential Planned Development- 5 Units per Acre) on 1.62 acres at 814 North Tonopah Drive.

It is noted that three (3) related Extension of Times (EOT-29851, EOT-29854, and EOT-29855) will be heard concurrently with this application.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
08/26/76	The Board of Zoning Adjustment denied a request for a Variance (V-0054-76) to allow local advertising, and the on-premise retail sale of wood and hay on property located at 814 North Tonopah Drive.
07/17/05	A Code Enforcement case was processed on 07/05/05 for overgrown weeds/grass, and trash at 814 North Tonopah Drive. The case was closed 07/17/05.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to C (Commercial), MXU (Mixed Use), M (Industrial), or PF (Public Facilities) on various parcels located within the proposed Las Vegas Redevelopment Area and within the proposed Redevelopment Plan Expansion Area. The Planning Commission recommended approval on 04/13/06.
08/16/06	The City Council accepted the applicants request to Withdraw Without Prejudice a request for a Site Development Plan Review (SDR-12272) for a proposed 32-unit condominium project and a Waiver of the perimeter landscape buffer width standards on 1.62 acres at 814 North Tonopah Drive. The Planning Commission recommended denial on 04/27/06.
08/16/06	The City Council accepted the applicants request to Withdraw Without Prejudice a request to amend a portion of the Southeast Sector Plan of the Master Plan (GPA-12274) from L (Low Density Residential) to M (Medium Density Residential) on 1.62 acres at 814 North Tonopah Drive. The Planning Commission recommended denial on 04/27/06.

08/16/06	The City Council accepted the applicants request to Withdraw Without Prejudice a request for a Rezoning (ZON-12276) from R-E (Residence Estates) to R-3 (Medium Density Residential) on 1.62 acres at 814 North Tonopah Drive. The Planning Commission recommended denial on 04/27/06.
09/06/06	The City Council approved a request for a Site Development Plan Review (SDR-14795) for a proposed eight-lot residential subdivision on 1.62 acres at 814 North Tonopah Drive. The Planning Commission recommended approval on 08/10/06.
09/06/06	The City Council approved a request for Rezoning (ZON-14796) from R-E (Residence Estates) to R-PD5 (Residential Planned Development- 5 Units per Acre) on 1.62 acres at 814 North Tonopah Drive. The Planning Commission recommended approval on 08/10/06.
09/06/06	The City Council approved a request for a Variance (VAR-14797) to allow an R-PD Development to be on 1.62 acres where five acres is the minimum required at 814 North Tonopah Drive. The Planning Commission recommended approval on 08/10/06.
09/06/06	The City Council approved a request for a Waiver (WVR-15056) to Title 18.12.105 to allow a private drive to exceed 200 feet on 1.62 acres at 814 North Tonopah Drive. The Planning Commission recommended approval on 08/10/06.
06/14/07	The Planning Commission approved a request for a Tentative Map (TMP-21498) for a proposed eight-lot residential subdivision on 1.62 acres at 814 North Tonopah Drive.

<b><i>Related Building Permits/Business Licenses</i></b>	
There have been no building permits or business licenses issued for this location.	
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this type of application, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	1.62

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Vacant	MXU (Mixed Use)	R-E (Residence Estates) with Resolution of Intent to R-PD5 (Residential Planned Development- 5 Units per Acre)
North	Apartments	MXU (Mixed Use)	R-3 (Medium Density Residential)
South	Single-Family Dwellings	MXU (Mixed Use)	R-PD3 (Residential Planned Development- 3 Units per Acre)
East	Vacant	MXU (Mixed Use)	R-E (Residence Estates)
West	Townhomes	M (Medium Density Residential)	R-PD16 (Residential Planned Development- 16 Units per Acre)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>	X		Y
Downtown Redevelopment Plan Area	X		Y
West Las Vegas Plan	X		Y
<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Purpose and Overlay Districts</b>	X		Y
A-O (Airport Overlay) District (140 feet)	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>	X		Y
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**ANALYSIS**

This is the first extension of time request for the proposed development. Since the original approval of the Rezoning, the applicant submitted and received Planning Commission approval for a Tentative Map (TMP-21498) for the eight-lot residential subdivision. Approval of this request is recommended with a two-year time limit. Conformance to the conditional requirements for Rezoning (ZON-14796) shall be required.

**FINDINGS**

The applicant has shown progress on the proposed development. Approval of this request is recommended with a two-year time limit. Conformance to the conditional requirements for the Rezoning (ZON-14796) shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**            N/A

**ASSEMBLY DISTRICT**            N/A

**SENATE DISTRICT**            N/A

**NOTICES MAILED**            N/A

**APPROVALS**            0

**PROTESTS**            0