



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 19, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30404 - REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - APPLICANT/OWNER: KIMBERLY MORANTES

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions of approval for Rezoning (ZON-5805) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a required six-month review of a Review of Condition (ROC-7262) of Condition Number 3 of an approved Rezoning (ZON-5805), which eliminated the condition limiting office hours of operation to Monday through Friday, 9:00 a.m. to 5:00 p.m. on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue.

BACKGROUND INFORMATION

| <i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i> | |
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| 10/13/00 | The City Council approved an Annexation (A-0008-00) of approximately 2.608 acres of land located on the northeast corner of Buffalo Drive and Buckskin Avenue. The effective date of this annexation was 10/13/00. |
| 09/05/01 | The City Council approved a request to Amend a portion of the Southwest Sector Plan (GPA-0020-01) from R (Rural Density Residential) to SC (Service Commercial) on 2.5 acres on the northeast corner of Buffalo Drive and Buckskin Avenue. The Planning Commission recommended approval on 07/26/01. |
| 03/02/05 | The City Council approved a request to Amend a portion of the Centennial Hills Sector Plan of the Master Plan (GPA-5803) from MLA (Medium Low Density Residential) to SC (Service Commercial) on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue. The Planning Commission recommended approval on 01/27/05. |
| 03/02/05 | The City Council approved a request for Rezoning (ZON-5805) from U (Undeveloped) [MLA (Medium Low Density Residential) General Plan designation] to C-1 (Limited Commercial) on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue. The Planning Commission recommended approval on 01/27/05. |
| 03/02/05 | The City Council approved a request for a Site Development Plan Review (SDR-5811) for two proposed 10,000 square-foot, single-story Professional Office buildings on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue. The Planning Commission recommended approval on 01/27/05. |
| 03/02/05 | The City Council approved a request for a Variance (VAR-5852) to allow an eight-foot setback from residential uses where a minimum of 50 feet for a proposed trash enclosure is required and to allow 58-foot setback where residential adjacency standards require a minimum of 63 feet for a proposed 21-foot high commercial building on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue. The Planning Commission recommended approval on 01/27/05. |

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| 08/03/05 | The City Council approved a request for a Review of Condition (ROC-7262) of Condition Number 3 of an approved Rezoning (ZON-5805) to eliminate the condition limiting office hours of operation to Monday through Friday, 9:00 a.m. to 5:00 p.m. on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue. |
| 03/23/06 | The Planning Commission approved a request for a Tentative Map (TMP-11311) for a one-lot commercial subdivision on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue. |
| 06/21/06 | The City Council denied a request for a Special Use Permit (SUP-12132) for a commercial Amusement/Recreation (Indoor) Facility on 2.0 acres at 3412 North Buffalo Drive. The Planning Commission recommended approval on 04/13/06. |
| 07/11/06 | The Planning and Development Department approved a request for a Final Map Technical Review (FMP-14124) for a one-lot commercial subdivision on 2.02 acres at the northeast corner of Buffalo Drive and Buckskin Avenue. The map was recorded as North Buffalo Business Centre on 11/02/06. |
| <i>Related Building Permits/Business Licenses</i> | |
| 08/17/07 | A business license (Q07-01398) was issued for a Medical Firm at 3424 North Buffalo Drive. The license is still active. |
| 08/27/07 | A business license (Q07-00952) was issued for a Medical Firm at 3430 North Buffalo Drive, Suite 110. The license is still active. |
| 09/05/07 | A business license (Q07-00947) was issued for a Medical Firm at 3430 North Buffalo Drive, Suite 110. The license is still active. |
| 09/26/07 | A business license (Q07-00954) was issued for a Medical Firm at 3430 North Buffalo Drive, Suite 110. The license is still active. |
| 12/17/07 | A business license (Q07-00909) was issued for a Medical Firm at 3412 North Buffalo Drive. The license is still active. |
| 05/12/08 | A business license (E01-00354) was issued for an Employment Agency at 3438 North Buffalo Drive. The license is still active. |
| 05/20/08 | A business license (Q07-00552) was issued for a Medical Firm at 3416 North Buffalo Drive. The license is still active. |
| 08/04/08 | A business license (Q06-00291) was issued for an Engineering Firm at 3442 North Buffalo Drive. The license is still active. |
| 08/13/08 | A business license (M18-03715) was issued for a Management or Consulting Service at 3442 North Buffalo Drive. The license is still active. |
| 03/14/06 | Numerous building permits were issued on assorted dates for the two 10,000 square-foot Professional Office buildings on the subject parcels. |
| <i>Pre-Application Meeting</i> | |
| A pre-application meeting is not required for this type of application, nor was one held. | |
| <i>Neighborhood Meeting</i> | |
| A neighborhood meeting was not required, nor was one held. | |

| Field Check | |
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| 10/14/08 | Staff conducted a field check of the site with the following observations: <ul style="list-style-type: none"> • The area surrounding the building was neat, clean, and well kept • Operating hours were not posted on the business entry doors |

| Details of Application Request | |
|---------------------------------------|------|
| Site Area | |
| Gross Acres | 1.93 |

| Surrounding Property | Existing Land Use | Planned Land Use | Existing Zoning |
|-----------------------------|--------------------------|---|---|
| Subject Property | Offices | O (Office) | U (Undeveloped) [O (Office) General Plan designation] with a Resolution of Intent to O (Office) |
| North | Nursing Home | M (Medium Density Residential) | R-3 (Medium Density Residential) |
| South | Offices | O (Office) | P-R (Professional Office and Parking) |
| East | Single-Family Dwellings | R (Rural Density Residential- Clark County) | R-E (Rural Estates Residential- Clark County) |
| West | Single-Family Dwellings | ML (Medium Low Density Residential) | R-PD7 (Residential Planned Development- 7 Units per Acre) |

| Special Districts/Zones | Yes | No | Compliance |
|---|------------|-----------|-------------------|
| Special Area Plan | | X | N/A |
| Special Districts/Zones | Yes | No | Compliance |
| Special Purpose and Overlay Districts | X | | Y |
| A-O (Airport Overlay) District (175 feet) | X | | Y |
| Trails | | X | N/A |
| Rural Preservation Overlay District | X | | Y |
| Development Impact Notification Assessment | | X | N/A |
| Project of Regional Significance | | X | N/A |

ANALYSIS

This is the first required review since the approval of the Review of Condition (ROC-7262) of Condition Number 3 of an approved Rezoning (ZON-5805) that changed the hours of operation from Monday through Friday, 9:00 a.m. to 5:00 p.m. to Monday through Friday 7:00 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m., on 1.93 acres adjacent to the northeast corner of Buffalo Drive and Buckskin Avenue. Staff conducted a field check of the site, found the building and surrounding area clean and well maintained. In addition, staff did not notice the hours of operation posted on entrance doors.

FINDINGS

Staff received a letter from the applicant verifying their hours of operation. Additionally, the applicant affirmed how the change has enhanced their ability to accommodate their customers busy schedules. No Code Enforcement cases or complaints have been received pertaining to the subject site. The change in the hours of operation appears appropriate for the type of business; therefore, staff is recommending approval of this application with no subsequent reviews.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 216

APPROVALS 0

PROTESTS 0