



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: MARCH 18, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-33278 EXTENSION OF TIME REZONING -**

**APPLICANT/OWNER: NEVADA H.A.N.D. INC.**

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### **\*\* CONDITIONS \*\***

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

#### **Planning and Development**

1. This Rezoning (ZON-18643) shall expire on February 21, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to all conditions of approval of Rezoning (ZON-18643) and all other site 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-18643) from R-E (Residence Estates) to R-3 (Medium Density Residential) on a portion of 9.39 acres at the southwest corner of Decatur Boulevard and Deer Springs Way.

It is noted that there are two (2) related Extension of Times (EOT-33277 and EOT-33279) that will be heard concurrently with this application.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/07/06                                                           | The City Council approved a request for a General Plan Amendment (GPA-12847) to amend a portion of the Centennial Hills Sector Plan from ML (Medium Low Density Residential) to M (Medium Density Residential) on 18.62 acres at the northwest corner of Rome Boulevard and Decatur Boulevard. The Planning Commission recommended approval on 04/27/06.                                                              |
| 10/19/06                                                           | A request for a Technical Review if a two-lot Parcel Map (PMP-15245) (merger and re-subdivision) was recorded for two 18.91-acre parcels located at the southwest corner of Decatur Boulevard and Deer Springs Way.                                                                                                                                                                                                   |
| 02/21/07                                                           | The City Council approved a request for a Site Development Plan Review (SDR-18642) for a proposed 90-unit Assisted Living Apartment Complex and a waiver to allow a residential adjacency setback of 20 feet where 121.5 feet is the minimum setback required on a portion of 9.39 acres at the southwest corner of Decatur Boulevard and deer Springs Way. The Planning Commission recommended approval on 01/25/07. |
| 02/21/07                                                           | The City Council approved a request for a Special Use Permit (SUP-19004) for a proposed 90-unit, three-story, and 39-foot high Assisted Living Apartment Complex at the southwest corner of N. Decatur Boulevard and deer Springs Way. The Planning Commission recommended approval on 01/25/07.                                                                                                                      |
| 02/21/07                                                           | The City Council approved a request for Rezoning (ZON-18643) from R-E (Residence Estates) to R-3 (Medium Density Residential) on a portion of 9.39 acres at the southwest corner of Decatur Boulevard and Deer Springs Way. The Planning Commission recommended approval on 01/25/07.                                                                                                                                 |

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|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/24/08                                                                                  | The Planning Commission approved a request for a Major Amendment (SDR-25485) to an approved Site Development Plan Review (SDR-18642) for an increase in height to 40 feet for an approved 90-unit Assisted Living Apartment Complex and the addition of a proposed Senior Citizen Apartment Complex consisting of two 35-foot, three-story, 75-unit buildings with waivers to allow a residential adjacency setback of 70 feet where 105 feet is required at the south and west property lines on 9.45 acres at the southwest corner of Decatur Boulevard and Deer Springs Way. |
| 05/14/08                                                                                  | A request for a Technical Review of a three-lot Parcel Map (PMP-25254) for 11.25 acres located at the southwest corner of Decatur Boulevard and Deer Springs Way was released for recordation, but as of 02/16/09 was not yet recorded.                                                                                                                                                                                                                                                                                                                                         |
| <b><i>Related Building Permits/Business Licenses</i></b>                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 01/15/09                                                                                  | Plan Check #33076 was processed for the Decatur Pines Phase I at 6741 N. Decatur Boulevard.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <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.    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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|----------------------------------------------|------|
| <b><i>Details of Application Request</i></b> |      |
| <b><i>Site Area</i></b>                      |      |
| Gross Acres                                  | 9.45 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>                                    | <b>Planned Land Use</b>             | <b>Existing Zoning</b>                                                                  |
|-----------------------------|-------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------|
| Subject Property            | Undeveloped Land-proposed Assisted Living Apartment Complex | M (Medium Density Residential)      | R-E (Residence Estates) with a Resolution of Intent to R-3 (Medium Density Residential) |
| North                       | Single Family Residences                                    | ML (Medium Low Density Residential) | R-PD6 (Residential Planned Development- 6 Units per Acre)                               |
|                             | Single Family Residences                                    | ML (Medium Low Density Residential) | R-1 (Single Family Residential)                                                         |
| South                       | Undeveloped Land                                            | M (Medium Density Residential)      | R-E (Residence Estates)                                                                 |
| East                        | Condominiums                                                | City of North Las Vegas             | City of North Las Vegas                                                                 |
| West                        | Undeveloped Land                                            | PF (Public Facilities)              | C-V (Civic)                                                                             |

| <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                | N/A                      |
| <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                | N/A                      |
| <b>Trails</b>                                     |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>        |                   | X                | N/A                      |
| <b>Development Impact Notification Assessment</b> |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>           |                   | X                | N/A                      |

## ANALYSIS

This is the first request for an Extension of Time for the propose development. Title 19.18.040 allows an extension of time or reinstatement of zoning approval as long as the zoning continues to conform to the use and density classification of the General Plan, while remaining consistent with the surrounding area and pattern of development.

## FINDINGS

The applicant is requesting an extension of time to finalize plans and begin construction. The rezoning conforms to the use and density classification of M (Medium Density Residential) of the General Plan, while remaining consistent with the surrounding area and pattern of development; therefore, staff recommends approval with a two-year time limit. Conformance to the conditions of approval of Rezoning (ZON-18643) shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**      N/A

**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**      N/A

**APPROVALS**      0

**PROTESTS**      0