



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 18, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-33279 EXTENSION OF TIME SPECIAL USE PERMIT -

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

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-19004) 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 Special Use Permit (SUP-19004) 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 Special Use Permit (SUP-19004) for a proposed 90-unit, three-story and 39-foot tall Assisted Living Apartment Complex 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-33278) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&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 of 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.

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.
<i>Related Building Permits/Business Licenses</i>	
01/15/09	Plan Check #33076 was processed for the Decatur Pines Phase I at 6741 N. Decatur Boulevard.
<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 is not required for this type of application, nor was one held.	

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
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)

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

ANALYSIS

This is the first request for an Extension of Time for the proposed project. In the time since the original approval of the Special Use Permit (SUP-19004), the applicant has not made any progress on the project in the form of the issuance and/or finalization of building permits, though a Plan Check (#33076) was processed for Phase I of the development. In accordance with Title 19.18.060, a Special Use Permit is exercised upon the approval of a business license to the activity, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection.

FINDINGS

The applicant is requesting an extension of time to finalize plans and begin construction to meet Title 19.18.060 requirements to exercise the Special Use Permit. Staff recommends approval of the extension of time request with a two-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-19004) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0