



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 15, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-33651 EXTENSION OF TIME VARIANCE -

APPLICANT: ROYAL CONSTRUCTION - OWNER: TOWNE VISTAS LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-19853) shall expire on May 16, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to all the conditions of approval of the Variance (VAR-19853) and other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the first request for an Extension of Time of an approved Variance (VAR-19853) to allow a proposed condominium building to be 55 feet from the north property line where the residential adjacency standards require a setback of 173 feet on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road.

It is noted that there is one (1) related Extension of Time (EOT-33652) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved a Petition to Annex (A-0038-02) undeveloped property located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres. The Planning Commission recommended approval on 10/24/03. The annexation became effective on 02/14/03.
11/05/03	The City Council approved a Petition to Vacate (VAC-2838) U.S. Government Patent Reservations generally located south of Deer Springs Way, west of El Capitan Way. The Planning Commission recommended approval on 10/9/03.
11/05/03	The City Council approved a request for Rezoning (ZON-2970) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) on 5.06 acres approximately 660 feet south of Deer Springs Way and 330 feet east of Campbell Road. The Planning Commission recommended approval on 10/09/03.
11/05/03	The City Council approved a request for a Site Development Plan Review (SDR-2971) for a proposed 39-lot single-family cluster development on 5.06 acres approximately 660 feet south of Deer Springs Way and 330 feet east of Campbell Road. The Planning Commission recommended approval on 10/09/03.
04/08/04	The Planning Commission approved a request for a Tentative Map (TMP-3791) for a 39-lot single-family residential development on 4.62 acres adjacent to the north side of the I-215 Beltway, approximately 600 feet west of Durango Drive.

10/20/04	The City Council approved a request for a Site Development Plan Review (SDR-4992) for a proposed 94-lot single-family residential development on 15.17 acres adjacent to the southeast corner of Deer Springs Way and Campbell Road. The Planning Commission recommended approval on 09/23/04.
11/04/04	The Planning Commission approved a request for a Tentative Map (TMP-5118) for a 94-lot single-family residential subdivision on 15.17 acres adjacent to the southeast corner of Deer Springs Way and Campbell Road.
05/16/07	The City Council approved a request for a Variance (VAR-19853) to allow a proposed Condominium building to be 55 feet from the north property line where residential adjacency standards require a setback of 173 feet on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road. The Planning Commission recommended approval on 04/12/07.
05/16/07	The City Council approved a request for Rezoning (ZON-19210) from U (Undeveloped) Zone [M-TC (Medium Density Residential- Town Center) General Plan Designation] to T-C (Town Center) Special Land Use Designation on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road. The Planning Commission recommended approval on 04/12/07.
05/16/07	The City Council approved a request for a Site Development Plan Review (SDR-19211) for a 115-unit Condominium development composed of two five-story buildings on 4.62 acres on the south side of Echelon Point Drive, 350 feet east of Campbell Road. The Planning Commission recommended approval on 04/12/07.

Related Building Permits/Business Licenses

There have been no building permits or business licenses issued for the subject site.

Pre-Application Meeting

A pre-application meeting is not required for this type of application, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required for this type of application, nor was one held.

Details of Application Request

Site Area

Gross Acres	4.62
-------------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped-proposed 115-unit Condominium development	TC (Town Center)	M-TC (Medium Density Residential-Town Center)
North	Undeveloped Land	TC (Town Center)	M-TC (Medium Density Residential-Town Center)
South	I-215 Highway	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Undeveloped Land	TC (Town Center)	U (Undeveloped) [TC (Town Center) Special land Use Designation]
West	Undeveloped proposed Condominium development	TC (Town Center)	M-TC (Medium Density Residential-Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
T-C Town Center District	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
T-C (Town Center) District	X		Y
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 development. In the time since the original approval of the Variance (VAR-19853), the applicant has not made any progress on the project in the form of the issuance and/or finalization of building permits, nor have they submitted plans for review. In 2004, the applicant did submit two separate requests and received approval for Tentative Maps, but both have since expired.

Title 19.18.070 deems a Variance exercised when a business license is issued to conduct the activity, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection.

FINDINGS

Construction of the project has not yet begun; therefore, the applicant has not met the requirements to exercise the entitlement of the Variance as outlined in Title 19.18.070. The applicant is requesting an extension of time due to the poor economic conditions in the area, time to finalize financing. Staff recommends approval of this request with a two-year time limit. Conformance to the conditions of approval of Variance (VAR-19853) shall be required.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
--	-----

<u>ASSEMBLY DISTRICT</u>	N/A
---------------------------------	-----

<u>SENATE DISTRICT</u>	N/A
-------------------------------	-----

<u>NOTICES MAILED</u>	N/A
------------------------------	-----

<u>APPROVALS</u>	0
-------------------------	---

<u>PROTESTS</u>	0
------------------------	---