



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 19, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-35061 EXTENSION OF TIME VARIANCE APPLICANT:
TANEY ENGINEERING - OWNER: WILLIAM LYON HOMES**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-13853) shall expire on August 1, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to all conditions of approval of Variance (VAR-13853) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently undeveloped with a previously approved Variance (VAR-13853) to allow zero square feet of open space where 35,293 square feet are required for a 49-lot single-family residential subdivision. Since the original approval of the Variance (VAR-13853), the applicant received approval for a Tentative Map (TMP-23104) in August 2007 and as of yet has not submitted plans for a Final Map for the proposed development. Development and land uses in the surrounding area have remained unchanged with the exception of an approved State Park to the west of the subject site. The applicant is requesting a three-year extension of time due to current housing market and lending conditions in the Las Vegas area. Staff is recommending approval of the Extension of Time with a two-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/21/04	The City Council approved a request for a Petition to Annex (ANX-3103) property generally located on the southwest corner of Horse Drive and Coke Street containing approximately 4.8 acres. The Planning Commission recommended approval on 11/06/03. The Annexation became effective on 01/30/04.
03/04/04	A Code Enforcement case (10730) was processed for a construction or sales trailer on property without proper permits at 7770 Horse Drive. Code Enforcement closed the case on 03/09/04.
10/05/05	The City Council approved a request to amend the Master Plan of Streets and Highways (MSH-8232) to remove a portion of Horse Drive between Coke Street and Conough Lane. The Planning Commission recommended approval on 09/08/05.
11/02/05	The City Council approved a request for a Petition to Vacate (VAC-8641) the south half of Horse Drive between Coke Street and Conough Lane, and the east half of Conough Lane from Horse Drive to approximately 375 feet north of Teasha Avenue. The Planning Commission recommended approval on 09/22/05.

01/04/06	The City Council approved a request for Rezoning (ZON-9926) from U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation] to R-PD2 (Residential Planned Development- 2 Units per Acre) on 5.93 acres on the northwest corner of Horse Drive and Coke Street. The Planning Commission recommended approval on 12/01/05.
01/04/06	The City Council approved a request for a Site Development Plan Review (SDR-9927) for an eight-lot single-family residential subdivision on 5.93 acres on the northwest corner of Horse Drive and Coke Street. The Planning Commission recommended approval on 12/01/05.
01/12/06	The Planning Commission approved a request for a Tentative Map (TMP-10525) for an eight-lot residential subdivision on 5.93 acres adjacent to the south side of Horse Drive, approximately 300 feet west of Coke Street.
04/19/06	The City Council approved a request for a Petition to Annex (ANX-11001) approximately 15.99 acres of property generally located on the west side of Coke Street and north of Racel Street. The Planning Commission recommended approval on 02/09/06. The Annexation became effective on 04/28/06.
04/18/07	The City Council approved a request for a Petition to Vacate (VAC-13850) public right-of-way generally located west of the intersection of Horse Drive and Coke Street. The Planning Commission recommended approval on 03/22/07.
08/01/07	The City Council approved a request for a Site Development Plan Review (SDR-13852) for a 49-lot single-family residential subdivision on 24.8 acres at the southwest corner of Horse Drive and Coke Street. The Planning Commission recommended approval on 06/28/07.
08/01/07	The City Council approved a request for a Variance (VAR-13853) to allow zero square feet of open space where 35,293 square feet are required for a 49-lot residential subdivision on 24.8 acres at the southwest corner of Horse Drive and Coke Street. The Planning Commission recommended approval on 06/28/07.
08/01/07	The City Council approved a request for Rezoning (ZON-13854) from U (Undeveloped) [RNP (Rural Neighborhood Preservation) General Plan designation] to R-PD2 (Residential Planned Development- 2 Units per Acre) on 24.8 acres at the southwest corner of Horse Drive and Coke Street. The Planning Commission recommended approval on 06/28/07.
08/23/07	The Planning Commission approved a request for a Tentative Map (TMP-23104) for a 49-lot single-family residential subdivision on 24.8 acres at the southwest corner of Horse Drive and Coke Street.
05/21/08	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-27692) of a previously approved Petition to Vacate (VAC-13850) public right-of-way generally located west of the intersection of Horse Drive and Coke Street.

05/22/09	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-34070) of a previously approved Petition to Vacate (VAC-13850) public right-of-way generally located west of the intersection of Horse Drive and Coke Street.
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<i>Related Building Permits/Business Licenses</i>	
07/12/06	A building permit (69100) was issued for the demolition of a single-family dwelling at 7770 Horse Drive. The permit was finalized on 10/05/06.
There are no business licenses issued for the subject site.	

<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	24.8

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land- Proposed 49-lot Single-Family Residential Subdivision	RNP (Rural Neighborhood Preservation)	R-PD2 (Residential Planned Development- 2 Units per Acre)
North	Undeveloped Land	RNP (Rural Neighborhood Preservation)- Clark County	R-E (Rural Estate Residential)- Clark County
South	Single-Family Residences	DR (Desert Rural)	R-E (Residence Estates)
	Undeveloped Land	RNP (Rural Neighborhood Preservation)- Clark County	R-E (Rural Estates Residential)- Clark County

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning	
		Single-Family Residences	PCD (Planned Community Development)	R-PD3 (Residential Planned Development- 3 Units per Acre)
		Single-Family Residences	RN (Rural Neighborhood)- Clark County	R-E (Rural Estates Residential)- Clark County
West		State Park	PR-OS (Parks/Recreation/Open Space)	R-E (Residence Estates)

<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 of a previously approved Variance (VAR-13853) to allow zero square feet of open space where 35,293 square feet are required for a 49-lot single-family residential subdivision located at the southwest corner of Horse Drive and Coke Street. Since the approval of the Variance (VAR-13853), the applicant received approval for a Tentative Map (TMP-23104) in August 2007, but has not yet submitted plans for a Final Map and/or building permits.

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

The applicant has not yet met Title 19.18.070 requirements to exercise the Variance (VAR-13853), since a Final Map has not been approved nor have building permits been issued for the proposed development. No new development or changes in land use have occurred in the surrounding areas with the exception of an approved state park to the west of the subject site. The applicant is requesting a three-year extension of time due to current market and lending conditions in Las Vegas. Staff is recommending approval of the Extension of Time with a two-year time limit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0