



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-35275 EXTENSION OF TIME VARIANCE APPLICANT/
OWNER: WILLIAM LYON HOMES, INC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-6930) shall expire on September 7, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to all conditions of approval of Variance (VAR-6930) 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-6930) to allow zero square feet of open space where 32,369 square feet is required for a proposed single-family residential development adjacent to the southwest corner of Jones Boulevard and Tropical Parkway. Since the original approval of Variance (VAR-6930), the applicant has received two separate Extension of Times (EOT-16574 and EOT-23573), along with submitting a Tentative Map (TMP-23570) for the proposed development. There have not been any significant changes in land use or new development in the surrounding areas. The applicant is requesting a three-year extension of time due to the current housing market and lending conditions in Las Vegas. Staff recommends approval of the Extension of Time with a two-year time limit.

It is noted that there are two (2) related Extension of Times (EOT-35274 and EOT-35276) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/01/02	The City Council approved a Petition to Annex (A-0051-01) property generally located on the southeast corner of Bronco Street and Tropical Parkway with an effective date of 05/10/02. The Planning Commission recommended approval on 08/09/01.
05/01/02	The City Council approved a Petition to Annex (A-0052-01) property generally located on the northeast corner of Bronco Street and Corbett Lane with an effective date of 05/10/02. The Planning Commission recommended approval on 08/09/01.
06/01/05	The City Council approved a Petition to Annex (ANX-6042) approximately 9.633 acres property generally located on the west side of Jones Boulevard between Tropical Parkway and El Campo Grande Avenue with an effective date of 06/10/05. The Planning Commission recommended approval on 03/24/05.
09/07/05	The City Council approved a request for Rezoning (ZON-6928) from R-PD2 (Residential Planned Development- 2 Units per Acre) to R-PD3 (Residential Planned Development 3 Units per Acre) on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway. The Planning Commission recommended approval on 07/14/05.

09/07/05	The City Council approved a request for a Site Development Plan Review (SDR-6929) for a 50-lot single-family residential subdivision on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway. The Planning Commission recommended approval on 07/14/05.
09/07/05	The City Council approved a request for a Variance (VAR-6930) to allow zero open space where 32,369 square feet is required for a proposed single-family residential development on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway. The Planning Commission recommended approval on 07/14/05.
09/07/05	The City Council approved a request for a Waiver (WVR-6931) to allow approximately 176 feet between street intersections where 220 feet is the minimum distance separation required on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway. The Planning Commission recommended approval on 07/14/05.
09/22/05	The Planning Commission approved a request for a Tentative Map (TMP-8628) for a 50-lot single-family residential subdivision on 14.29 acres adjacent to the west side of Jones Boulevard between Tropical Parkway and El Campo Grande Avenue.
12/07/05	The City Council approved a request for a Petition to Vacate (VAC-8986) a portion of Corbett Street generally located between Jones Boulevard and Bronco Street. The Planning Commission recommended approval on 11/03/05.
07/12/06	The City Council approved a request for a Review of Condition Number 5 (ROC-13865) of a previously approved Rezoning (ZON-6928) to amend condition number 5 to allow construction of rural street improvements where urban half street improvements were required for a proposed residential subdivision on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway.
08/11/06	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-15079) for a 50-lot single-family residential subdivision. The map was not recorded.
10/18/06	The City Council approved a request for an Extension of Time (EOT-16574) of a previously approved Variance (VAR-6930) to allow zero open space where 32,369 square feet is required for a proposed single-family residential development on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway.
09/19/07	The City Council approved a request for an Extension of Time (EOT-23573) of a previously approved Variance (VAR-6930) to allow zero open space where 32,369 square feet is required for a proposed single-family residential development on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway.

09/19/07	The City Council approved a request for an Extension of Time (EOT-23576) of a previously approved Site Development Plan Review (SDR-6929) for a 50-lot single-family residential development on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway.
09/19/07	The City Council approved a request for an Extension of Time (EOT-23578) of a previously approved Rezoning (ZON-6928) from R-PD2 (Residential Planned Development- 2 Units per Acre) to R-PD3 (Residential Planned Development 3 Units per Acre) on 14.29 acres adjacent to the southwest corner of Jones Boulevard and Tropical Parkway.
10/25/07	The Planning Commission approved a request for a Tentative Map (TMP-23570) for a 49-lot single-family residential subdivision on 14.29 acres adjacent to the west side of Jones Boulevard between Tropical Parkway and El Campo Grande Avenue.
12/02/08	A Code Enforcement case (72294) was processed for a large sign on a vacant lot at the northwest corner of Jones Boulevard and El Camp Grande Avenue. Code Enforcement closed on the case on 12/04/08.
<i>Related Building Permits/Business Licenses</i>	
07/12/06	A building permit (69103) was issued for the demolition of a single-family residence at 5912 Bronco Street. The permit was finalized on 10/05/06.
<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	14.29

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land- Proposed 50-lot Single-Family Residential Development	R (Rural Density Residential)	U (Undeveloped) [R (Rural Density Residential) General Plan Designation] and R -E (Residence Estates) with a Resolution of Intent to R-PD3 (Residential Planned Development- 3 Units per Acre)
North	Single-Family Residences	R (Rural Density Residential)	R-PD3 (Residential Planned Development 3 Units per Acre)
South	Undeveloped land- Proposed Single Family Residences	R (Rural Density Residential)	R-D (Single Family Residential- Restricted)
East	Undeveloped Land and Single-Family Residences	RL (Residential Low) - Clark County	R-E (Rural Estates Residential)- Clark County
	Single-Family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development 3 Units per Acre)
West	Single-Family Residences	R (Rural Density Residential)	R-E (Residence Estates)
	Undeveloped Land- Proposed Single- Family Residences	R (Rural Density Residential)	R-D Single Family Residential- Restricted)
	Single-Family Residences	RL- Residential Low) - Clark County	R-E (Rural Estates Residential)- Clark County

<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 third request for an Extension of Time of a previously approved Variance (VAR-6930) to allow zero square feet of open space where 32,369 square feet is required for a proposed single-family residential development. The applicant has not yet been issued building permits for the project, but has an approved Tentative Map (TMP-23570) for the proposed development that expires October 2009. There have not been any significant changes in land use or new development in the surrounding areas since the original approval of Variance.

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 Variance (VAR-6930) has not met the requirements outlined in Title 19.18.070, since neither permits or a business license have been issued for the proposed project. The applicant is requesting an additional three-year extension of time due to the current housing market and lending conditions in Las Vegas. Staff is recommending approval of the Extension of Time with a two-year time limit. Conformance to the conditions of approval of Variance (VAR-6930) shall be required.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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