



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-35610 EXTENSION OF TIME VARIANCE -

APPLICANT/OWNER: O.R. INVESTMENT GROUP, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Variance (VAR-6952) shall expire on August 17, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of Variance (VAR-6952) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The current site is undeveloped with a proposed mixed-use development consisting of two 16-story, 197 feet tall buildings with a total of 300 residential units and 12,548 square feet of commercial space with a Variance (VAR-6952) to allow a zero front step back ratio where a 1:1 step back ratio is required. The applicant has not met Title 19.18.070 requirements to exercise the entitlement since a building permit nor business license have been issued for the project. There have not been any significant changes in development or land use since the original approval of the Variance (VAR-6952) in August 2005. The applicant is requesting a second Extension of Time due to poor economic conditions within Las Vegas. Staff recommends approval with a two-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/18/01	The City Council approved a request to amend a portion of the Southeast Sector of the General Plan (GPA-0030-00) from GC (General Commercial) to M (Medium Density Residential) on 15.3 acres located approximately 320 feet west of Rancho Drive between Lake Mead Boulevard and Coran Lane. The Planning Commission recommended denial on 04/26/01.
	The City Council approved a related request for Rezoning (Z-0096-00) from C-2 (General Commercial) to R-3 (Apartments).
08/17/05	The City Council approved a request for a Site Development Plan Review (SDR-6946) for a mixed-use development including two 16-story towers with a total of 300 residential units and 12,548 square feet of commercial space and waivers of the residential adjacency standards and perimeter landscaping requirements on 5.48 acres adjacent to the southwest corner of Lake Mead Boulevard and Rancho Drive. The Planning Commission recommended approval on 07/14/05.
	The City Council approved a related request for a Special Use Permit (SUP-6947) for a 197-foot tall building where 35 feet is the maximum height allowed in the Airport Overlay Zone.
	The City Council approved a related request for a Special Use Permit (SUP-6948) for a mixed-use development.
	The City Council approved a related request for a Variance (VAR-6952) to allow a zero front step back ratio where a 1:1 step back ratio is required along a collector or larger street for a 197-foot tall building

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/19/07	The City Council approved a request for an Extension of Time (EOT-23843) of a previously approved Variance (VAR-6952) to allow a zero front step back ratio where a 1:1 step back ratio is required along a collector or larger street for a 197-foot tall building on 5.48 acres adjacent to the southwest corner of Lake Mead Boulevard and Rancho Drive.
	The City Council approved a related request for an Extension of Time (EOT-23838) of a previously approved Special Use Permit (SUP-6947) for a 197-foot tall building where 35 feet is the maximum height allowed in the Airport Overlay Zone.
	The City Council approved a related request for an Extension of Time (EOT-23841) of a previously approved Special Use Permit (SUP-6948) for a mixed-use development.
	The City Council approved a related request for an Extension of Time (EOT-23836) of a previously approved Site Development Plan Review (SDR-6946) for a mixed-use development including two 16-story towers with a total of 300 residential units and 12,548 square feet of commercial space and waivers of the residential adjacency standards and perimeter landscaping requirements
<i>Related Building Permits/Business Licenses</i>	
There have been no building permits or 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	5.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Mixed-Use Development	GC (General Commercial)	C-2 (General Commercial)
North	Convenience Store	GC (General Commercial)	C-2 (General Commercial)
South	Mini-Storage Facility	GC (General Commercial)	C-2 (General Commercial)
East	Casino/Hotel	North Las Vegas	North Las Vegas
West	Condominiums	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
A-O (Airport Overlay) District (35 feet)	X		N*
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

* The City Council approved a Special Use Permit (SUP-6947) to allow a 197-foot tall building where 35 feet is the maximum allowed in the Airport Overlay District.

ANALYSIS

This is the second request for an Extension of Time of a previously approved Variance (VAR-6952) to allow a zero front step back ratio where a 1:1 step back ratio is required along a collector street or larger street for a 197-foot tall building on 5.48 acres located adjacent to the west side of Rancho Drive, approximately 190 feet south of Lake Mead Boulevard. The applicant has not made any progress on the proposed project since the original approval in August 2005, nor has the surrounding area experienced any significant changes in development or land use.

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-6952) has not met the requirements outlined in Title 19.18.070, since neither building permits or a business license have been issued for the proposed project. The applicant is requesting an extension of time due to the poor economic conditions in Las Vegas. Staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-6952) 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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