



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 7, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-35681 EXTENSION OF TIME SITE DEVELOPMENT**

**PLAN REVIEW - APPLICANT: WAGNER HOMES - OWNER: DAY STAR VENTURES LLC**

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### **\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

#### **Planning and Development**

1. This Site Development Plan Review (SDR-22253) shall expire on January 19, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of Site Development Plan Review (SDR-22253) 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 Site Development Plan Review (SDR-22253) for a 19-lot single-family residential development with access to Haley Avenue instead of Dorrell Lane. The project is located adjacent to the northeast corner of Hualapai Way and Haley Avenue on 5.35 acres. The applicant received approval for a Tentative Map (TMP -24461) for the residential development on 10/25/07, but as of yet has not submitted a Final Map for review. No building permits or Code Enforcement cases have been processed for the proposed development. The applicant is requesting an extension of time to allow the housing market in Las Vegas to recover. Staff is recommending approval.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/04/04                                                           | The City Council approved a request for a Petition to Annex (ANX-4451) property located on the southeast corner of Hualapai Way and Dorrell Lane containing approximately 5.0 acres with an effective date of 08/13/04. The Planning Commission recommended approval on 06/24/04.                                                                                               |
| 01/19/05                                                           | The City Council approved a request for Rezoning (ZON-4623) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development 3 Units per Acre) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane. The Planning Commission recommended approval on 12/16/04.                                |
|                                                                    | The City Council approved a related request for a Site Development Plan Review (SDR-4626) for a 19-lot single-family residential development.                                                                                                                                                                                                                                   |
|                                                                    | The City Council approved a related request for a Variance (VAR-5377) to allow no open space where 13,633 square feet is the minimum required.                                                                                                                                                                                                                                  |
| 04/06/05                                                           | The City Council approved a request for a Waiver (WVR-6035) of Title 18.12.160 to allow 209 feet between street intersections where 220 feet is the minimum distance separation required for a single-family residential development on 5.35 acres adjacent to the southeast corner of Dorrell Lane and Hualapai Way. The Planning Commission recommended approval on 03/10/05. |

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>                       |                                                                                                                                                                                                                                                                                                                                                                                    |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/09/05                                                                                        | The Planning Commission approved a request for a Tentative Map (TMP-6601) for a 19-lot single-family residential subdivision on 5.35 acres on the southeast corner of Hualapai Way and Dorrell Lane.                                                                                                                                                                               |
| 09/07/05                                                                                        | The City Council approved a request for a Petition to Vacate (VAC-7657) U.S. Government Patent Easements generally located on Hualapai Way between Dorrell Lane and Haley Avenue. The Planning Commission recommended approval on 08/11/05.                                                                                                                                        |
| 02/07/07                                                                                        | The City Council approved a request for an Extension of Time (EOT-18955) of a previously approved Rezoning (ZON-4623) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development 3 Units per Acre) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane.                                   |
|                                                                                                 | The City Council approved a related request for an Extension of Time (EOT-18952) of a previously approved Site Development Plan Review (SDR-4626) that allowed a 19-lot single-family residential development.                                                                                                                                                                     |
|                                                                                                 | The City Council approved a related request for an Extension of Time (EOT-18954) of a previously approved Variance (VAR-5377) to allow no open space where 13,633 square feet is the minimum required.                                                                                                                                                                             |
| 04/03/07                                                                                        | The Planning and Development Department and Department of Public Works approved a request for a Final Map Technical Review (FMP-20340) for a 19-lot single-family residential development adjacent to the southeast corner of Hualapai Way and Dorrell Lane. The map was not recorded.                                                                                             |
| 09/05/07                                                                                        | The City Council approved a request for a Major Amendment (SDR-22253) to a previously approved Site Development Plan Review (SDR-4626) for a 19-lot single-family residential development with access to Haley Avenue instead of Dorrell Lane located adjacent to the northeast corner of Hualapai Way and Haley Avenue. The Planning Commission recommended approval on 08/09/07. |
|                                                                                                 | The City Council approved a related request for the subject Waiver (WVR-22255) of Title 18.12.160 to allow 210 feet between street intersections where 220 feet is the minimum distance separation required.                                                                                                                                                                       |
| 10/25/07                                                                                        | The Planning Commission approved a request for a Tentative Map (TMP-24461) for a 19-lot single-family residential development at the southeast corner of Hualapai Way and Dorrell Lane.                                                                                                                                                                                            |
| 02/04/09                                                                                        | The City Council approved a request for an Extension of Time (EOT-32752) of a previously approved Rezoning (ZON-4623) from U (Undeveloped) [R (Rural Density Residential) General Plan Designation] to R-PD3 (Residential Planned Development 3 Units per Acre) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane.                                   |
|                                                                                                 | The City council approved a related request for an Extension of Time (EOT-32753) of a previously approved Variance (VAR-5377) to allow no open space where 13,633 square feet is the minimum required.                                                                                                                                                                             |
| <b><i>Related Building Permits/Business Licenses</i></b>                                        |                                                                                                                                                                                                                                                                                                                                                                                    |
| The only permits issued for the subject site are for signs advertising the housing development. |                                                                                                                                                                                                                                                                                                                                                                                    |

|                                                                                           |
|-------------------------------------------------------------------------------------------|
| <b><i>Pre-Application Meeting</i></b>                                                     |
| A pre-application meeting is not required for this type of application, nor was one held. |

| <b><i>Neighborhood Meeting</i></b>                                                     |
|----------------------------------------------------------------------------------------|
| A neighborhood meeting is not required for this type of application, nor was one held. |

| <b><i>Details of Application Request</i></b> |
|----------------------------------------------|
| <b><i>Site Area</i></b>                      |
| Gross Acres      5.35                        |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>                                            | <b>Planned Land Use</b>             | <b>Existing Zoning</b>                                                                                                                                           |
|-----------------------------|---------------------------------------------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Undeveloped Land-<br>Proposed Single-Family Residential Development | R (Rural Density Residential)       | U(Undeveloped) [R (Rural Density Residential) General Plan designation] with a Resolution of Intent to R-PD3 (Residential Planned Development- 3 Units per Acre) |
| North                       | Undeveloped Land                                                    | RL (Residential Low) - Clark County | R-E (Rural Estates Residential)- Clark County                                                                                                                    |
| South                       | Undeveloped Land                                                    | RL (Residential Low) - Clark County | R-E (Rural Estates Residential)- Clark County                                                                                                                    |
| East                        | Undeveloped Land                                                    | RL (Residential Low) - Clark County | R-E (Rural Estates Residential)- Clark County                                                                                                                    |
| West                        | Apartments                                                          | PCD (Planned Community Development) | PD (Planned Development)                                                                                                                                         |

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

## **ANALYSIS**

This is the first request for an Extension of Time of a previously approved Site Development Plan Review (SDR-22253) for a 19-lot single-family residential development with access to Haley Avenue instead of Dorrell Lane on 5.35 acres adjacent to the northeast corner of Hualapai Way and Haley Avenue. Since the approval of the Site Development Plan Review (SDR-22253), the applicant has received approval for a Tentative Map (TMP-24461), but as of yet has not submitted a Final Map for review. There have not been any significant changes in land use or new development in the surrounding areas.

Title 19.18.050 deems a Site Development Plan Review exercised upon the issuance of a building permit for the principal structure on site, unless otherwise specified in connection with its approval.

## **FINDINGS**

The Site Development Plan Review (SDR-22253) has not met the requirements outlined in Title 19.18.050 to exercise the entitlement as no building permits have been issued for the principal structure. The applicant is requesting an extension of time to allow the housing market in Las Vegas time to recover. Staff is recommending approval of this request with an expiration date of January 19, 2011 to align with the previously approved Rezoning (ZON-4623). Conformance to the conditions of approval of the Site Development Plan Review (SDR-22253) shall be required.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**      N/A

**APPROVALS**      0

**PROTESTS**      0