



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 21, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-35957 EXTENSION OF TIME SITE DEVELOPMENT**

**PLAN REVIEW APPLICANT: DON F. AHERN - OWNER: DON & PAUL, LLC**

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

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

#### **Planning and Development**

1. This Site Development Plan Review (SDR-22205) will expire on July 12, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Site Development Plan Review (SDR-22205) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The site is occupied by a business for equipment rental with outside storage and an office. The applicant received previous approval in September 2007 to expand the current use (SDR-22205) to allow for 36,900 square feet of light manufacturing, 80,000 square feet of light assembly and fabrication, 22,000 square feet of auto repair garage (major), and 16,500 square feet of office space with a waiver of perimeter landscape requirements to allow a zero-foot wide buffer where eight feet is required along the east, west, and south property lines. Since the approval of the Site Development Plan Review (SDR-22205), the applicant received one Code Enforcement violation on 03/14/08 for illegal signage at 1785 West Bonanza Road, which Code Enforcement subsequently closed on 03/29/08. There have not been any building permits issued for the proposed development, nor has the surrounding area experienced any significant changes in land use or development, except for the property directly north of the subject site where the same applicant received approval for a commercial development.

The applicant is requesting an Extension of Time due to the poor economic conditions within Las Vegas. Staff is recommending approval of this request with an expiration date of July 12, 2011 to align with the applicants additional entitlements.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/20/67                                                                  | The Board of City Commissioners approved a request for Rezoning (Z-0021-67) from R-E (Residence Estates) to C-2 (General Commercial) for property located on the south side of Bonanza Road between Highland Drive and Rancho Road. The Planning Commission recommended approval on 09/14/67. |
| 04/06/77                                                                  | The Board of City Commissioners approved a request for Rezoning (Z-0011-77) from C-2 (General Commercial) to R-E (Residence Estates) of property located at 1785 West Bonanza Road. The Planning Commission recommended approval on 03/10/77.                                                 |
| 09/05/79                                                                  | The Board of City Commissioners approved a request for Rezoning (Z-0078-79) from R-E (Residence Estates) to C-2 (General Commercial) of property located at 1611 West Bonanza Road. The Planning Commission recommended approval on 08/09/79.                                                 |

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                             |
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| 08/15/90                                                                  | The City Council approved a request for Rezoning (Z-0082-90) from R-E (Residence Estates) to C-2 (General Commercial) of property located at 1721 West Bonanza Road. The Planning Commission recommended approval on 07/24/90.                                                                                                                              |
| 09/20/95                                                                  | The City Council approved a request for Rezoning (Z-0059-95) from R-E (Residence Estates) to C-2 (General Commercial) of properties located at 1615 and 1629 West Bonanza Road. The Planning Commission recommended approval on 08/24/95.                                                                                                                   |
| 11/15/95                                                                  | The City Council approved a request for Rezoning (Z-0071-95) from R-E (Residence Estates) to C-2 (General Commercial) of property located at 1729 West Bonanza Road. The Planning Commission recommended approval on 09/28/95.                                                                                                                              |
| 06/19/96                                                                  | The City Council approved a request for Rezoning (Z-0045-96) from R-E (Residence Estates) to C-M (Commercial/Industrial) for a proposed 1,600 square-foot office and for the storage of used construction vehicles at 1905 West Bonanza Road. The Planning Commission recommended approval on 05/23/96.                                                     |
| 06/19/96                                                                  | The City Council approved a request for Rezoning (Z-0046-96) from R-E (Residence Estates) to C-2 (General Commercial) for a proposed 2,180 square-foot offset printing building located at 1529 West Bonanza Road.                                                                                                                                          |
| 10/12/98                                                                  | The City Council approved a request for Rezoning (Z-0063-98) from R-E (Residence Estates) to C-2 (General Commercial) for a proposed 59,330 square-foot rental office and repair complex on property located on the south side of Bonanza Road between Martin L. King Boulevard and Rancho Drive. The Planning Commission recommended approval on 09/10/98. |
| 04/05/00                                                                  | The City Council approved a request to amend a portion of the West Las Vegas Plan of the General Plan (GPA-0046-99) from GC (General Commercial) to LI/R (Light Industry/Research) on properties located at 1821 and 1825 West Bonanza Road. The Planning Commission recommended approval on 01/27/00.                                                      |
|                                                                           | The City Council approved a related request for Rezoning (Z-0084-99) from R-E (Residence Estates) to C-M (Commercial/Industrial) for an existing Heating/Cooling business.                                                                                                                                                                                  |
| 02/05/03                                                                  | The City Council approved a request for a Site Development Plan Review (SDR-1334) for a proposed Manufacturing and Parts Warehouse located at 1721, 1821, and 1825 West Bonanza Road. The Planning Commission recommended approval on 01/09/03.                                                                                                             |
|                                                                           | The City Council approved a related request for a Special Use Permit (SUP-1335) for Manufacturing of Construction Equipment.                                                                                                                                                                                                                                |
| 05/22/03                                                                  | The Planning Commission approved a request for a Tentative Map (TMP-2169) for a one-lot commercial subdivision at 1785 West Bonanza Road.                                                                                                                                                                                                                   |

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                |
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| 09/09/03                                                                  | The Planning and Development Department approved a request for a Final Map Technical Review (FMP-2991) for Ahern Rentals (A Commercial Subdivision). The map was assigned CLV Drawing #107V3862, but the map was not recorded.                                                                                                                 |
| 12/11/03                                                                  | A Code Enforcement case (7598) was processed for dangerous construction without permits at 1611 west Bonanza Road. Code Enforcement closed the case on 04/18/04.                                                                                                                                                                               |
| 05/19/04                                                                  | The City Council approved a request for a Site Development Plan Review (SDR-4015) for a proposed Auto Paint and Body Repair Shop and a waiver of landscape standards on 1.7 acres at 1915 West Bonanza Road. The Planning Commission recommended approval on 04/22/04.                                                                         |
| 07/06/05                                                                  | The City Council approved a request for a Special Use Permit (SUP-6607) for a proposed 499-gallon propane tank where a 288-gallon tank is the maximum allowed at 1785 West Bonanza Road. The Planning Commission recommended approval on 06/09/05.                                                                                             |
| 01/18/06                                                                  | The City Council approved a request for Rezoning (ZON-9925) from C-2 (General Commercial) and R-E (Residence Estates) to C-M (Commercial/Industrial) on a portion of 8.69 acres on the south side of Bonanza Road, approximately 475 feet west of Martin L. King Boulevard. The Planning Commission recommended approval on 12/15/05.          |
| 05/17/06                                                                  | The City Council approved a request to change the Future Land Use Designation (GPA-9219) to Commercial, Mixed-Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan expansion area. The Planning Commission recommended approval on 04/13/06.                                       |
| 08/10/06                                                                  | The Planning Commission approved a request for a Site Development Plan Review (SDR-14761) for 7,104 square feet of Auto Paint and Body Repair Shop contained in three buildings on 1.48 acres at 1915 West Bonanza Road.                                                                                                                       |
| 09/07/06                                                                  | The Planning Commission approved a request for a Tentative Map (TMP-15376) for a one-lot commercial subdivision on 9.36 acres at 1909 and 1915 West Bonanza Road.                                                                                                                                                                              |
| 09/27/06                                                                  | The Planning and Development Department approved a request for a Final Map Technical Review (FMP-16416) for a merger and re-subdivision on 9.81 acres south of West Bonanza Road and west of Martin Luther King Boulevard. The map was assigned CLV Drawing #107V3862-4 released for recordation on 12/22/06, though the map was not recorded. |
| 01/08/07                                                                  | A Code Enforcement case (49111) was processed for a construction trailer on site without proper permits at 1611 West Bonanza Road. Code Enforcement closed the case on 01/08/07.                                                                                                                                                               |
| 04/25/07                                                                  | A Code Enforcement case (52606) was processed for illegal billboards at property located at 1907 West Bonanza Road. Code Enforcement closed the case on 07/31/07.                                                                                                                                                                              |

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/13/07                                                                                                                     | The Planning Commission approved a request for a Site Development Plan Review (SDR-22205) to allow for 36,900 square feet of light manufacturing, 80,000 square feet of light assembly and fabrication, 22,000 square feet of auto repair garage (major), and 16,500 square feet of office space with a waiver of perimeter landscape requirements to allow a zero-foot wide buffer where eight feet is required along the east, west, and south property lines on 9.77 acres on the south side of Bonanza Road approximately 550 feet west of Martin L. King Boulevard. |
| 03/14/08                                                                                                                     | A Code Enforcement case (63432) was processed for illegal signage in forklifts up each day and taken down at night at 1785 West Bonanza Road. Code Enforcement closed the case on 03/29/08.                                                                                                                                                                                                                                                                                                                                                                              |
| <b><i>Related Building Permits/Business Licenses</i></b>                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 05/15/98                                                                                                                     | A business license (E02-00031) was issued for Equipment Rental and leasing at 1785 West Bonanza Road. The license is still active.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 08/27/09                                                                                                                     | A business license (C11-12299) was issued for a contractor at 1611 West Bonanza Road. The license is still active.                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| There have been numerous building permits issued and/or finalized for the assorted addresses assigned to the subject parcel. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <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                                  | 9.54 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>                                                             | <b>Planned Land Use</b>            | <b>Existing Zoning</b>                                                                                            |
|-----------------------------|--------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Equipment Rental with Outside Storage                                                | LI/R (Light Industry/Research)     | C-M (Commercial/Industrial)                                                                                       |
| North                       | Undeveloped Land, Single-Family Residences, Multi-Family Residential, and Commercial | MXU (Mixed-Use) and C (Commercial) | C-2 (General Commercial), R-E (Residence Estates), R-3 (Medium Density Residential), and C-1 (Limited Commercial) |
| South                       | US-95                                                                                | US-95                              | US-95                                                                                                             |
| East                        | Contractor                                                                           | LI/R (Light Industry/Research)     | C-2 (General Commercial)                                                                                          |
| West                        | Mini-Storage Facility                                                                | LI/R (Light Industry/Research)     | C-2 (General Commercial)                                                                                          |

| <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>                          |                   |                  |                          |
| Las Vegas Redevelopment Plan                      | X                 |                  | Y                        |
| West Las Vegas Plan                               | X                 |                  | Y                        |
| <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>      |                   |                  |                          |
| A-O (Airport Overlay) District                    | X                 |                  | Y                        |
| <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-22205) to allow for 36,900 square feet of light manufacturing, 80,000 square feet of light assembly and fabrication, 22,000 square feet of auto repair garage (major), and 16,500 square feet of office space with a waiver of perimeter landscape requirements to allow a zero-foot wide buffer where eight feet is required along the east, west, and south property lines on 9.77 acres on the south side of Bonanza Road approximately 550 feet west of Martin L. King Boulevard. The site currently has an equipment rental facility with outside storage. Since the approval of the Site Development Plan Review (SDR-22205), Code Enforcement processed one case (63432) on 03/14/08 for illegal signage, which they closed on 03/29/08. There have been numerous building permits issued for the assorted addresses assigned to the subject site, but no recent permits for the proposed project cited in the Site Development Plan Review (SDR-22205).

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-22205) has not met the requirements outlined in Title 19.18.050 as no permits for proposed project have been issued. No new development or changes in land use in the surrounding areas have occurred with the exception of the parcel directly north where the same applicant received approval for a commercial development. The applicant is requesting an extension of time due to the current state of the economy. Staff is recommending approval of this request with an expiration date of July 12, 2011. Conformance to the conditions of approval of the Site Development Plan Review (SDR-22205) shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0