

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: NOVEMBER 3, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: H&GG LTD. & DAVID MASON

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-39719	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-39719 CONDITIONS

Planning and Development

- 1.This Variance (VAR-4671) shall expire on October 6, 2012 unless another extension of time is approved by the City Council.
- 2.Conformance to the conditions of approval of Variance (VAR-4671) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently undeveloped land with previous approval for a Variance (VAR-4671) to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed self service car wash and pet wash adjacent to the northeast corner of Sky Pointe Drive and Road House Road. Since the approval of the Variance (VAR-4671) in 2004, no plans have been submitted for review nor have any building permits been issued for the proposed project.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/06/04	The City Council approved a request to amend the Centennial Hills Interlocal Land Use Plan of the General Plan (GPA-4609) from ML (Medium-Low Density Residential) to GC (General Commercial) on 0.43 acres adjacent to the northeast corner of Sky Pointe Drive and Road House Road. The Planning Commission and staff recommended denial.
	The City Council approved a related request for a Variance (VAR-4671) to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed self-service car wash and pet wash. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a related request for a Site Development Plan Review (SDR-4606) for a self serve car wash and pet wash; a waiver of distance requirements to allow a trash enclosure to be 28 feet from residential uses where 50 feet is required and a waiver to reduce perimeter landscaping requirements. The Planning Commission recommended approval; staff recommended denial.
11/1/06	The City Council approved a request for an Extension of Time (EOT-16950) of a previously approved Variance (VAR-4671) to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed self-service car wash and pet wash adjacent to the northeast corner of Sky Pointe Drive and Road House Road.
	The City Council approved a related request for an Extension of Time (EOT-16951) of a previously approved Site Development Plan Review (SDR-4606) for a self serve car wash and pet wash; a waiver of distance requirements to allow a trash enclosure to be 28 feet from residential uses where 50 feet is required and a waiver to reduce perimeter landscaping requirements.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/15/08	The City Council approved a request for an Extension of Time (EOT-29815) of a previously approved Variance (VAR-4671) to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed self-service car wash and pet wash adjacent to the northeast corner of Sky Pointe Drive and Road House Road.
	The City Council approved a related request for an Extension of Time (EOT-29814) of a previously approved Site Development Plan Review (SDR-4606) for a self serve car wash and pet wash; a waiver of distance requirements to allow a trash enclosure to be 28 feet from residential uses where 50 feet is required and a waiver to reduce perimeter landscaping requirements.
08/11/10	A Code Enforcement case (93552) was processed for a truck dumping miscellaneous debris/trash on vacant land located at the northeast corner of Sky Pointe Drive and Ranch House Road. Code Enforcement closed the case on 08/12/10.

<i>Related Building Permits/Business Licenses</i>
No business licenses or building permits have been issued for the proposed project, nor have plans been submitted for review.

<i>Pre-Application Meeting</i>
A pre-application meeting was not required nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.43

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped Land-Proposed Car Wash and Pet Wash	GC (General Commercial)	C-2 (General Commercial)
North	Tavern, Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

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South	Apartments	M (Medium Density Residential)	R-PD18 (Residential Planned Development- 18 Units per Acre)
East	Single Family Residences	ML (Medium-Low Density Residential)	R-PD7 (Residential Planned Development- 7 Units per Acre)
West	CC-215 (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Town Center Master Plan	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		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-4671) to allow a rear setback of 28.9 feet where residential adjacency standards require a minimum of 84.75 feet in conjunction with a proposed car wash and pet wash adjacent to the northeast corner of Sky Pointe Drive and Road House Road. Since the approval of the Variance (VAR-4671) in 2004, no plans have been submitted for review nor have any building permits been issued for the proposed project.

Title 19.18.070 deems a Variance exercised upon the issuance of a building permit for the new construction.

FINDINGS

The Variance (VAR-4671) has not met the requirements outlined in Title 19.18.070 to exercise the entitlement as no building permits have been issued for the proposed project. The applicant is requesting an extension of time due to the downturn in the economy and financing concerns. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-4671) shall be required.

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NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0