

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: MARCH 2, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CAROLYN AHERN - OWNER: AHERN
CAROLYN 1998 SEP PPTY

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-40712	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-40712 CONDITIONS

Planning and Development

- 1.This Variance (VAR-29881) shall expire on February 18, 2013 unless another Extension of Time is approved by the City Council.
- 2.Conformance to the conditions of approval of the Variance (VAR-29881) 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 undeveloped land with previous approval for a Variance (VAR-29881) to allow a 13-foot setback along the east property line where 20 feet is required for a proposed convenience store with fuel pumps, car wash, and two restaurants with drive through on the east side of Oso Blanca Road, approximately 850 feet north of Kyle Canyon Road. Since the approval of the Variance (VAR-29881), there have not been any building permits issued for the proposed development. There has been no new development or changes in land use in the surrounding area. The applicant is requesting an Extension of Time due to the current economic condition in the area.

It is noted that there is one (1) related Extension of Time (EOT-40713) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/18/08	The City Council approved a request for Annexation (ANX-27240) of an area consisting of approximately 1.66 acres generally located on the east side of the Oso Blanca Road alignment, 875 feet north of the Kyle Canyon Road alignment. The Planning Commission and staff recommended approval. The Annexation became effective on 06/27/08.
02/18/09	The City Council approved a request to amend a portion of the Northwest Sector Plan of the Centennial Hills Plan (GPA-29877) from PCD (Planned Community Development) to SC (Service Commercial) on 1.66 acres on the east side of Oso Blanca Road, approximately 850 feet north of Kyle Canyon Road. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a related request for Rezoning (ZON-29878) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to C-1 (Limited Commercial).
	The City Council approved a related request for a Variance (VAR-29881) to allow a 13-foot setback along the east property line where 20 feet is required.
	The City Council approved a related request for a Site Development Plan Review (SDR-29879) for a 3,400 square-foot Convenience Store and Car Wash with Fuel Pumps and two 3,100 square-foot Restaurants with Drive Through with waivers of the perimeter landscape requirements to allow a six-foot buffer along the south and east property lines where eight feet is required and a six-foot buffer along the west property line where 15 feet is required.

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<i>Most Recent Change of Ownership</i>	
10/13/98	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>
There have not been any building permits or business licenses issued for the subject site.

<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	1.66

<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 Convenience Store with Fuel Pumps, Car Wash, and two Restaurants with drive through	SC (Service Commercial)	C-1 (Limited Commercial)
North	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Undeveloped Land	SC (Service Commercial)	U (Undeveloped) [SC (Service Commercial) General Plan Designation]
East	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Undeveloped Land-Clark County	RR (Residential Rural)-Clark County	H-2 (General Highway Frontage)- Clark County

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</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
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 first request for an Extension of Time of a previously approved Variance (VAR-29881) to allow a 13-foot setback along the east property line where 20 feet is required for a proposed convenience store with fuel pumps, car wash, and two restaurants with drive through on the east side of Oso Blanca Road, approximately 850 feet north of Kyle Canyon Road. Since the approval of the Variance (VAR-29881), there have not been any building permits issued for the proposed development, nor have plans been submitted for review.

FINDINGS

The Variance (VAR-29881) has not met Title 19.18.070 requirements to exercise the entitlement as no building permits have been issued for the proposed use. There has been no new development or changes in land use in the surrounding area. The applicant is requesting an Extension of Time due to the current economic condition in the area. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-29881) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0