

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: APRIL 6, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: COLFIN WLH LAND ACQUISITIONS, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-40914	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-40914 CONDITIONS

Planning

- 1.This Variance (VAR-13853) shall expire on August 19, 2013 unless another Extension of Time is approved by City Council.
- 2.Conformance to the conditions of approval of the Variance (VAR-13853) and all other site related actions as required by the Department of Planning 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 single family residential development with a Variance (VAR-13853) to allow zero square feet of open space where 35,293 square feet are required at the southwest corner of Horse Drive and Coke Street. No building permits have yet to be issued for the proposed project. A Tentative Map (TMP-23104) was approved on 08/23/07, but has since expired. The area surrounding the subject site has not experienced any significant changes in land use or development since the approval of the Variance (VAR-13853); therefore, staff is recommending approval of this request.

It is noted that there is one (1) related Extension of Time (EOT-40912) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/21/04	The City Council approved a request for a Petition to Annex (ANX-3103) property generally located on the southwest corner of Horse Drive and Coke Street containing approximately 4.8 acres. The Planning Commission and staff recommended approval. The Annexation became effective on 01/30/04.
10/05/05	The City Council approved a request to Amend the Master Plan of Streets and Highways (MSH-8232) to remove a portion of Horse Drive between Coke Street and Conough Lane. The Planning Commission and staff recommended approval.
11/02/05	The City Council approved a request for a Petition to Vacate (VAC-8641) the south half of Horse Drive between Coke Street and Conough Lane, and the east half of Conough Lane from Horse Drive to approximately 375 feet north of Teasha Avenue. The Planning Commission and staff recommended approval.
01/04/06	The City Council approved a request for Rezoning (ZON-9926) from U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan designation] to R-PD2 (Residential Planned Development- 2 Units per Acre) on 5.93 acres on the northwest corner of Horse Drive and Coke Street. The Planning Commission and staff recommended denial.
	The City Council approved a related request for a Site Development Plan Review (SDR-9927) for an eight-lot single family residential subdivision. The Planning Commission and staff recommended denial.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/12/06	The Planning Commission approved a request for a Tentative Map (TMP-10525) for an eight-lot single family residential subdivision adjacent to the south side of Horse Drive, approximately 300 feet west of Coke Street. Staff recommended approval.
04/19/06	The City Council approved a request for a Petition to Annex (ANX-11001) an area consisting of approximately 15.99 acres generally located on the west side of Coke Street, north of Racel Street. The Planning Commission and staff recommended approval. The Annexation became effective on 04/28/06.
04/18/07	The City Council approved a request for a Petition to Vacate (VAC-13850) public right-of-way generally located west of the intersection of Horse Drive and Coke Street. The Planning Commission and staff recommended approval.
08/01/07	The City Council approved a request for Rezoning (ZON-13854) from U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) Master Plan designation] under Resolution of Intent to R-PD2 (Residential Planned Development- 2 Units per Acre) to R-PD2 (Residential Planned Development- 2 Units per Acre) on 24.8 acres at the southwest corner of Horse Drive and Coke Street. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a related request for a Variance (VAR-13853) to allow zero square feet of open space where 35,293 square feet are required for a 49-lot residential subdivision.
	The City Council approved a related request for a Site Development Plan Review (SDR-13852) for a 49-lot single family residential development.
08/23/07	The Planning Commission approved a request for a Tentative Map (TMP-23104) for a 49-lot single family residential subdivision on 24.8 acres at the southwest corner of Horse Drive and Coke Street. Staff recommended approval.
05/21/08	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-27692) of a previously approved Petition to Vacate (VAC-13850) public right-of-way generally located west of the intersection of Horse Drive and Coke Street. Staff recommended approval.
05/28/09	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-34070) of a previously approved Petition to Vacate (VAC-13850) public right-of-way generally located west of the intersection of Horse Drive and Coke Street. Staff recommended approval.

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08/19/09	The City Council approved a request for an Extension of Time (EOT-35061) of a previously approved Variance (VAR-13853) to allow zero square feet of open space where 35,293 square feet are required for a 49-lot residential subdivision on 24.8 acres at the southwest corner of Horse Drive and Coke Street. Staff recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-35064) of a previously approved Site Development Plan Review (SDR-13852) for a 49-lot single family residential development.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/27/10	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-37889) of a previously approved Petition to Vacate (VAC-13850) public right-of-way generally located west of the intersection of Horse Drive and Coke Street. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
12/29/09	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There have been no building permits or business licenses issued for the proposed project.	

<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	24.8

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<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 49-lot Residential Development	RNP (Rural Neighborhood Preservation)	R-PD2 (Residential Planned Development- 2 Units Per Acre)
North	Undeveloped Land-Clark County	RNP (Rural Neighborhood Preservation)- Clark County	R-E (Rural Estates Residential)- Clark County
South	Single Family Residences	PCD (Planned Community Development)	R-PD2 (Residential Planned Development- 2 Units per Acre)
East	Single Family Residences	PCD (Planned Community Development)	R-PD2 (Residential Planned Development- 2 Units per Acre)
		RN (Rural Neighborhood)- Clark County	R-E (Rural Estates Residential)- Clark County
West	Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)

<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 second request for an Extension of Time of a previously approved Variance (VAR-13853) to allow zero square feet of open space where 35,293 square feet are required for a 49-lot single family residential development at the southwest corner of Horse Drive and Coke Street. No building permits have been issued for the proposed development, nor has the surrounding area experienced any significant changes in land use or development since the approval of the Variance (VAR-13853). A Tentative Map (TMP-23104) was approved on 08/23/07 for the proposed development, but has since expired.

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

FINDINGS

The Variance (VAR-13853) has not met Title 19.18.070 requirements to exercise the entitlement as no building permits have yet to be issued for the proposed project. The applicant is requesting an Extension of Time due to the current housing market and lending conditions in the area. Staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-13853) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0