

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: APRIL 6, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: O&A PROPERTIES, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-40994	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-40994 CONDITIONS

Department of Planning

- 1.This Variance (VAR-32448) shall expire on February 18, 2014 unless another Extension of Time is approved by the City Council.
- 2.Conformance to the conditions of approval of the Variance (VAR-32448) 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 occupied by a vacant building located at 1141 South Maryland Parkway. The applicant received previous approval for a Variance (VAR-32448) to allow a building setback of 43 feet where residential adjacency standards require 96 feet; a five-foot front yard setback where 25 feet is required; and a seven-foot corner side setback where 15 feet is required for a two-story office building. Plan check #34985 was processed on 06/05/09 for the office building, but has subsequently expired without permits being issued for the proposed project.

It is noted that a related Extension of Time (EOT-40993) will be heard concurrently with this item.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/18/09	The City Council approved a request for a Variance (VAR-32448) to allow a building setback of 43 feet where residential adjacency standards require 96 feet; a five-foot front yard setback where 25 feet is required; and a seven-foot corner side setback where 15 feet is required on 0.16 acres at 1141 South Maryland Parkway. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a related request for a Site Development Plan Review (SDR-32447) for a proposed 2,672 square-foot, two-story office building with waivers to allow landscape buffers of five feet along the north perimeter where 15 feet is required; seven feet along the west perimeter where 15 feet is required; and zero feet along the south and east perimeters where eight feet is required.

<i>Most Recent Change of Ownership</i>	
11/17/08	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
06/25/09	Plan Check #34985 was processed for an office building at 1141 South Maryland Parkway. There were several discrepancies noted by various departments; the plan check has since expired.
There is no current/active business licenses issued for the subject site.	

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<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 0.16

<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	Vacant Building-Proposed Office Building	SC (Service Commercial)	C-D (Designed Commercial)
North	Office	SC (Service Commercial)	C-D (Designed Commercial)
	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
South	Offices	SC (Service Commercial)	C-D (Designed Commercial)
East	Single Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
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

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ANALYSIS

This is the first request for an Extension of Time of a previously approved Variance (VAR-32448) to allow a building setback of 43 feet where residential adjacency standards require 96 feet; a five-foot front yard setback where 25 feet is required; and a seven-foot corner side setback where 15 feet is required for a two-story office building. Plan check #34985 was processed on 06/05/09 for the office building, but has subsequently expired without permits being issued for the proposed project.

Title 19.18.070 deems a Variance exercised upon the issuance of a building permit for the proposed project or issuance of a business license.

FINDINGS

The Variance (VAR-32448) has not met Title 19.18.070 requirements 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 current economic climate in Las Vegas and to secure financing for the proposed project. Since the approval of the Variance (VAR-32448) in February 2009, there have not been any changes in land use or new development in the surrounding areas; therefore, staff is recommending approval of this request with a three-year time limit. Conformance to the conditions of approval of the Variance (VAR-32448) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0