



AGENDA MEMO - PLANNING

**CITY COUNCIL MEETING DATE: MAY 4, 2011
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: DESERT CAPITAL GROUP - OWNER: CRAIG TENAYA, LLC**

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-41124	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-41124 CONDITIONS

Planning

- 1.This Variance (VAR-18820) shall expire on March 21, 2013 unless another Extension of Time request is approved by the City Council.
- 2.Conformance to the conditions of approval of the Variance (VAR-18820) and all other site related actions as required by the Department of Planning and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently undeveloped land with previous approval for a mixed use development that includes a Variance (VAR-18820) to allow a 72-foot tall building where 35 feet is the maximum height allowed adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road. Since the approval of the Variance (VAR-18820) on 03/21/07, no plans have been submitted for review nor have building permits been issued for the proposed project. The applicant is requesting an extension of time to secure financing for the development.

It is noted that there are two (2) related requests for Extension of Times (EOT-41125 and EOT-41127) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/21/07	The City Council approved a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan (GPA-18818) from O (Office) to H (High Density Residential) on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a related request for Rezoning (ZON-18819) from O (Office) to R-4 (High Density Residential).
	The City Council approved a related request for a Variance (VAR-18820) to allow a 72-foot tall building where 35 feet is the maximum height allowed.
	The City Council approved a related request for a Special Use Permit (SUP-18821) for a proposed mixed-use development.
	The City Council approved a related request for a Site Development Plan Review (SDR-18822) for a proposed five-story mixed-use development consisting of 213 condominium units and 29,717 square feet of commercial space.
03/04/09	The City Council approved a request for an Extension of Time (EOT-33136) of a previously approved Rezoning (ZON-18819) from O (Office) to R-4 (High Density Residential) on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road. Staff recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-33158) of a previously approved Variance (VAR-18820) to allow a 72-foot tall building where 35 feet is the maximum height allowed.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/04/09	The City Council approved a related request for an Extension of Time (EOT-33160) of a previously approved Special Use Permit (SUP-18821) for a proposed mixed-use development.
	The City Council approved a related request for an Extension of Time (EOT-33159) of a previously approved Site Development Plan Review (SDR-18822) for a proposed five-story mixed-use development consisting of 213 condominium units and 29,717 square feet of commercial space.

<i>Most Recent Change of Ownership</i>	
07/17/00	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, 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	7.49

<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 Mixed Use Development	H (High Density Residential)	R-4 (High Density Residential)
North	Commercial Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
South	Single Family Residences	ML (Medium-Low Density Residential)	R-CL (Single Family Compact lot)

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East	Right-of-Way (Freeway 95)	ROW (Right-of-Way)	ROW (Right-of-Way)
	Undeveloped Land	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residences	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development- 8 Units per Acre)

<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			
A-O (Airport Overlay) District (175 feet)	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 second request for an Extension of Time of a previously approved Variance (VAR-18820) to allow a 72-foot tall building where 35 feet is the maximum height allowed adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road. Since the approval of the Variance (VAR-18820), no plans have been submitted for review nor have building permits been issued for the proposed project.

Title 19.16.140 of the Unified Development Code deems a Variance exercised upon the issuance of a building permit for new construction.

FINDINGS

The Variance (VAR-18820) has not met the requirements of Title 19.16.140 of the Unified Development Code to exercise the entitlement as no building permits have yet to be used for the proposed development. The applicant is requesting an Extension of Time to secure financing for the project. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-18820) shall be required.

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NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0