

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: AUGUST 17, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: AHERN RENTALS - OWNER: DFA, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-42347	Staff recommends APPROVAL, subject to conditions:	None

**** CONDITIONS ****

EOT-42347 CONDITIONS

Planning

- 1.This Special Use Permit (SUP-13836) shall expire on October 4, 2013 unless another Extension of Time is approved by the City Council.
- 2.Conformance to the conditions of approval of the Special Use Permit (SUP-13836) 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 located at the northeast corner of Bonanza Road and Clarkway Drive with previous approval for a commercial development that includes a Special Use Permit (SUP-13836) for a Rental Store with outside storage. This is the third request for an Extension of Time for the Special Use Permit (SUP-13836) with the last request (EOT-35952) approved 10/21/09. Since that time, Plan Check #29391 processed on 08/11/08 for the construction of two buildings, onsite improvements, a trash enclosure, and grading has expired with no permits issued. There have not been any significant changes in land use or new development in the surrounding area. The applicant is requesting an Extension of Time as they are not at a stage in the project to request building permits for the proposed development. Staff is recommending approval with a two-year time limit.

It is noted that there are six (6) related Extensions of Time (EOT-42348, EOT-42349, EOT-42350, EOT-42351, EOT-42352, and EOT-42353) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/04/06	The City Council approved a request for Rezoning (ZON-13837) from R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential), and C-1 (Limited Commercial) to C-2 (General Commercial) of property at the northeast corner of Bonanza Road and Clarkway Drive.
	The City Council approved a related request for a Variance (VAR-14320) to allow a setback of 73 feet where Residential Adjacency Standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum setback required in conjunction with a Rental Store with outside storage.
	The City Council approved a related request for a Variance (VAR-16049) to allow a proposed 10-foot high block wall where eight feet is the maximum allowed.
	The City Council approved a related request for a Special Use Permit (SUP-13836) for a Rental Store with outside storage.
	The City Council approved a related request for a Special Use Permit (SUP-14324) for a Truck Rental Establishment.
	The City Council approved a related request for a Special Use Permit (SUP-14329) for an Auto Repair Garage, Major.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/04/06	The City Council approved a related request for a Site Development Plan Review (SDR-13833) for a proposed Rental Store with outside storage; a 99,000 square-foot covered storage area; a 21,600 square-foot Auto Repair Garage (Major); a 25,200 square-foot Hardware Store and waivers of perimeter landscape buffer and wall design requirements.
07/12/07	The Planning Commission approved a request for a Major Amendment (SDR-22206) to a previously approved Site Development Plan Review (SDR-13833) for a commercial development for 30,000 square feet of Hardware Store; 30,000 square feet of Office space; 40,000 square feet of covered storage area; and 60,000 square feet for an Auto Repair Garage, Major with a waiver of perimeter landscape requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line at the northeast corner of Bonanza Road and Clarkway Drive.
	The Planning Commission approved a related request for a Variance (VAR-22723) to allow a wall to contain no contrasting material where 20 percent contrasting material is required.
08/15/07	The City Council approved a request for a Review of Condition #6 (ROC-22207) of a previously approved Rezoning (ZON-13837) that required construction of all half-street improvements on Bonanza Road and Clarkway Drive along with the removal of all substandard public street improvements and unused driveway cuts for replacement with new improvements constructed to current City standards. The Planning Commission recommended approval.
12/03/08	The City Council approved a request for an Extension of Time (EOT-30020) of a previously approved Rezoning (ZON-13837) from R-E (Residence Estates), R-E (Residence Estates) under Resolution of Time to C-1 (Limited Commercial), R-3 (Medium Density Residential) and C-1 (Limited Commercial) to C-2 (General Commercial) at the northeast corner of Bonanza Road and Clarkway Drive. Staff recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-30017) of a previously approved Variance (VAR-14320) to allow a setback of 73 feet where residential adjacency standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum setback required in conjunction with a Rental Store with outside storage.
	The City Council approved a related request for an Extension of Time (EOT-30014) of a previously approved Special Use Permit (SUP-13836) for a Rental Store with outside storage.
	The City Council approved a related request for an Extension of Time (EOT-30016) of a previously approved Special Use Permit (SUP-14324) for a Truck Rental establishment.
	The City Council approved a related request for an Extension of Time (EOT-30019) of a previously approved Special Use Permit (SUP-14329) for an Auto Repair Garage, Major.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/07/09	The City Council approved a request for a Required Review (RQR-30432) of a previously approved Special Use Permit (SUP-13836) for a Rental Store with outside storage at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approval.
04/23/09	The City Council approved a request for a Variance (VAR-33415) to allow a 10-foot tall wall where eight feet is the maximum allowed along a portion of the north and east property lines and to allow unfinished block where decorative block with 20 percent contrasting materials is required; and to include the addition of an eight-foot high wrought iron fence along the south perimeter where five feet is the maximum allowed at 1726 West Bonanza Road.
09/16/09	The City Council approved a request for an Extension of Time (EOT-34971) of a previously approved Variance (VAR-22723) to allow a wall to contain no contrasting material where twenty percent contrasting material is required at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-34972) of a previously approved Site Development Plan Review (SDR-22206) for a commercial development of 30,000 square feet of Hardware Store, 30,000 square feet of Office space, 40,000 square feet of covered storage area, and 60,000 square feet of Auto Repair Garage (Major) with a waiver of perimeter landscape requirements to allow a 10-foot wide buffer where 15 feet is required.
10/21/09	The City Council approved a request for an Extension of Time (EOT-35945) of a previously approved Variance (VAR-14320) to allow a setback of 73 feet where residential adjacency standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum setback required in conjunction with a Rental Store with outside storage at the northeast corner of Bonanza Road and Clarkway Drive.
	The City Council approved a related request for an Extension of Time (EOT-35956) of a previously approved Variance (VAR-33415) to allow a 10-foot high wall where eight feet is the maximum allowed along a portion of the north and east property lines and to allow unfinished block where decorative block with 20 percent contrasting materials is required; and to include the addition of an eight-foot high wrought iron fence along the south perimeter where five feet is the maximum allowed.
	The City Council approved a related request for an Extension of Time (EOT-35952) of a previously approved Special Use Permit (SUP-13836) for a Rental Store with outside storage.
	The City Council approved a related request for an Extension of Time (EOT-35951) of a previously approved Special Use Permit (SUP-14324) for a Truck Rental establishment.
	The City Council approved a related request for an Extension of Time (EOT-35950) of a previously approved Special Use Permit (SUP-14329) for an Auto Repair Garage, Major.

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<i>Most Recent Change of Ownership</i>	
01/27/98	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/19/05	A building permit (49300) was issued for the demolition of a single-family residence at 1816 West Bonanza Road. The building has been demolished.
08/15/06	A building permit (71003) was issued for grading at 1798 West Bonanza Road. The permit was finalized on 08/15/06.
06/02/07	A building permit (92357) was issued for an engineered wall at 1798 West Bonanza Road. The permit was finalized on 11/30/07.
09/21/07	A building permit (98452) was issued for the demolition of a building at 1808 West Bonanza Road. The building has been demolished.
11/30/07	Building permits (103189 and 103181) were issued for the demolition of an 800 and 1,000 square-foot residence at 1812 and 1814 West Bonanza Road. The buildings have been demolished.
08/11/08	Plan Check 29391-C-09 was submitted for the construction of two building, onsite improvements, a trash enclosure, and grading. The Plan Check expired 03/09/10 with no permits issued.
05/18/11	A business license (N31-00024) was issued for a Non-Profit Community Service Provider at 1722 West Bonanza Road. The license is still active.

<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	20.53

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Proposed Commercial Development	MXU (Mixed-Use) and C (Commercial)	C-2 (General Commercial)
North	Single-Family Residences	R (Rural Density Residential)	R-E (Residence Estates)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
South	Equipment Rental with Outside Storage	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
East	Condominiums and Single-Family Residences	MXU (Mixed-Use)	R-3 (Medium Density Residential) and R-E (Residence Estates)
West	Undeveloped Land and Single-Family Residences	MXU (Mixed-Use)	R-E (Residence Estates)

<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 (140 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
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 Special Use Permit (SUP-13836) for a Rental Store with outside storage at 1736 West Bonanza Road. Plan Check #29391 processed on 08/11/08 for the construction of two buildings, onsite improvements, a trash enclosure, and grading expired on 03/09/10 with no permits issued. There have not been any significant changes in land use or new development in the surrounding area.

Title 19.16.110 of the Unified Development Code deems a Special Use Permit exercised upon the issuance of a building permit for new construction.

FINDINGS

The Special Use Permit (SUP-13836) has not been exercised in accordance with the requirements of Title 19.16.110 as no building permits have been issued for the proposed project. The applicant is requesting an Extension of Time as they are not at a stage in the project to request building permits for the proposed development. As conditions in the area have not significantly changed, staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-13836) shall be required.

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NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0