



## AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: OCTOBER 19, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: JUDITH PENA

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### \*\* STAFF RECOMMENDATION(S) \*\*

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>                             | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|---------------------------------------------------|----------------------------------|
| EOT-43084<br>EOT-43092 | Staff recommends APPROVAL, subject to conditions: | None                             |

### \*\* CONDITIONS \*\*

## EOT-43084 CONDITIONS

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### Planning

- 1.This Variance (VAR-37570) shall expire on September 1, 2013 unless another Extension of Time is approved by the City Council.
- 2.Conformance to the conditions of approval of the Variance (VAR-37570) and all other site related actions as required by the Department of Planning and Department of Public Works.

## EOT-43092 CONDITIONS

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### Planning

- 1.This Variance (VAR-37976) shall expire on September 1, 2013 unless another Extension of Time is approved by the City Council.
- 2.Conformance to the conditions of approval of the Variance (VAR-37976) and all other site related actions as required by the Department of Planning and Department of Public Works.

**Staff Report Page One**

**October 19, 2011 - City Council Meeting**

**\*\* STAFF REPORT \*\*****PROJECT DESCRIPTION**

The subject site is currently occupied by a single family residence that received previous approval to be converted into a professional office with variances to allow four parking spaces where seven are required and a four-foot setback from the west property line where residential adjacency standards require five feet. A request for a building permit (177455) was processed in December 2010, but no permits have been issued. The applicant is requesting Extensions of Time for the Variances (VAR-37570 and VAR-37976) due to delays in financing for the project. As there have not been any significant changes in land use or new development in the surrounding areas, staff is recommending approval of this request.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i></b> |                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/01/10                                                                 | The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan (GPA-37567) from L (Low Density Residential) to O (Office) on 0.16 acres at 222 South Bruce Street. The Planning Commission and staff recommended denial.                                                                                                            |
|                                                                          | The City Council approved a related request for Rezoning (ZON-37568) from R-1 (Single Family Residential) to P-R (Professional Office and Parking).                                                                                                                                                                                                                          |
|                                                                          | The City Council approved a related request for a Variance (VAR-37570) to allow four parking spaces where seven spaces are required.                                                                                                                                                                                                                                         |
|                                                                          | The City Council approved a related request for a Variance (VAR-37976) to allow a four-foot setback from the west property line where residential adjacency standards require a five-foot setback.                                                                                                                                                                           |
|                                                                          | The City Council approved a related request for a Site Development Plan Review (SDR-37569) for the conversion of an existing 1,890 square-foot residence to an office and waivers of perimeter landscape standards to allow zero-foot buffer along the east perimeter where 15 feet is required and zero-foot buffer along the west perimeters where eight feet is required. |

| <b><i>Most Recent Change of Ownership</i></b> |                                                |
|-----------------------------------------------|------------------------------------------------|
| 10/07/09                                      | A deed was recorded for a change in ownership. |

| <b><i>Related Building Permits/Business Licenses</i></b> |                                                                                                                                |
|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| 12/07/10                                                 | A request for a building permit was processed for an office conversion at 222 South Bruce Street. No permits have been issued. |

**Staff Report Page Two**  
**October 19, 2011 - City Council Meeting**

|                                       |
|---------------------------------------|
| <b><i>Pre-Application Meeting</i></b> |
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|---------------------------------------------------------------|
| A pre-application meeting was not required, nor was one held. |
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| <b><i>Neighborhood Meeting</i></b> |
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| A neighborhood meeting was not required, nor was one held. |
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|----------------------------------------------|
| <b><i>Details of Application Request</i></b> |
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|-------------------------|
| <b><i>Site Area</i></b> |
|-------------------------|

|             |      |
|-------------|------|
| Gross Acres | 0.16 |
|-------------|------|

| <b><i>Surrounding Property</i></b> | <b><i>Existing Land Use Per Title 19.12</i></b>                    | <b><i>Planned or Special Land Use Designation</i></b> | <b><i>Existing Zoning District</i></b> |
|------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------|----------------------------------------|
| Subject Property                   | Single Family Residence with Approval to be Converted to an Office | O (Office)                                            | P-R (Professional Office and Parking)  |
| North                              | Single Family Residences                                           | L (Low Density Residential)                           | R-1 (Single Family Residential)        |
| South                              | Retail Establishment                                               | L (Low Density Residential)                           | P-R (Professional Office and Parking)  |
|                                    | Single Family Residences                                           | L (Low Density Residential)                           | R-1 (Single Family Residential)        |
| East                               | Multi-Family Units                                                 | MXU (Mixed-Use)                                       | C-2 (General Commercial)               |
| West                               | Single Family Residences                                           | L (Low Density Residential)                           | R-1 (Single Family Residential)        |

| <b><i>Master Plan Areas</i></b>                     | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|-----------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Master Plan Area</b>                             |                   | X                | N/A                      |
| <b><i>Special Purpose and Overlay Districts</i></b> | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>        |                   | X                | N/A                      |
| <b>Trails</b>                                       |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>          |                   | X                | N/A                      |
| <b>Las Vegas Redevelopment Plan Area</b>            | X                 |                  | Y                        |
| <b>Development Impact Notification Assessment</b>   |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>             |                   | X                | N/A                      |

**Staff Report Page Three**  
**October 19, 2011 - City Council Meeting**

**ANALYSIS**

The applicant is requesting Extensions of Time of two previously approved Variances (VAR-37570 and VAR-37976) to allow four parking spaces where seven spaces are required and to allow a four-foot setback from the west property line where residential adjacency standards require a five-foot setback for a conversion of a single family residence to a professional office located at 222 South Bruce Street. A request for a building permit (177455) was processed in December 2010, but no permits have been issued.

Title 19.16.140 deems a Variance is exercised upon the issuance of a business license for the activity.

**FINDINGS**

The Variances (VAR-37570 and VAR-37976) have not been exercised in accordance with the requirements of Title 19.16.140 as a business license to conduct the activity has not yet been issued. The applicant is requesting Extensions of Time for the Variances (VAR-37570 and VAR-37976) due to delays in financing for the conversion project. As there have not been any significant changes in land use or new development in the surrounding areas, staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Variances (VAR-37570 and VAR-37976) shall be required.

**NOTICES MAILED**                      N/A

**APPROVALS**                                      0

**PROTESTS**                                      0