



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JULY 17, 2024  
DEPARTMENT: COMMUNITY DEVELOPMENT  
ITEM DESCRIPTION: APPLICANT/OWNER: JORGE HUERTA

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0274-EOT1	Staff recommends APPROVAL, subject to conditions:	
24-0274-EOT2	Staff recommends APPROVAL, subject to conditions:	
24-0274-EOT3	Staff recommends APPROVAL, subject to conditions:	

**\*\* NOTIFICATION \*\***

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED Newspaper Only

PROTESTS 0

APPROVALS 0

**\*\* CONDITIONS \*\***

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**24-0274-EOT1 CONDITIONS**

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**Planning**

1. This approval shall expire on May 18, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Variance (21-0649-VAR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**24-0274-EOT2 CONDITIONS**

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**Planning**

1. This approval shall expire on May 18, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Variance (21-0649-VAR2) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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## 24-0274-EOT3 CONDITIONS

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### **Planning**

1. This approval shall expire on May 18, 2026 unless another Extension of Time is approved by the City of Las Vegas.
2. Conformance to the Conditions of Approval for Site Development Plan Review (21-0649-SDR1) and all other related actions as required by the Department of Community Development and the Department of Public Works.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting Extensions of Time of approved entitlements related to a proposed two-story, 12-unit multi-family residential development on 0.44 acres of vacant land on the east side of 23rd Street, approximately 115 feet south of Hinkle Drive (currently addressed as 1404 North 23rd Street).

**ISSUES**

- These are the first Extension of Time requests for the approved parking Variance (21-0649-VAR1), residential adjacency setback and rear yard setback (21-0649-VAR2) and Site Development Plan Review (21-0649-SDR1).
- No applications for building permits or business licenses for the approved multi-family residential development have been submitted for review. Civil improvement (offsite) plans have been submitted and are in the review process.

**ANALYSIS**

The following requests related to this project were approved by the City Council on May 18, 2022:

- A Variance (21-0649-VAR1) to allow 19 parking spaces where 23 are required;
- A Variance (21-0649-VAR2) to allow a five-foot residential adjacency setback where 71 feet is required and a 10-foot rear yard setback where 20 feet is required; and
- A Site Development Plan Review (21-0772-SDR1) for a proposed two-story, 12-unit multi-family residential development.

The site is zoned R-3 (Medium Density Residential) and located within the East Las Vegas Plan area. There are existing multi-family residential uses to the north, and the remainder of the abutting properties are vacant. No new construction or lands use changes have occurred in this area since the original approval.

According to the applicant, mechanical, electrical, plumbing, architectural and structural plans are all lined up to be submitted for review, and civil improvement plans have been submitted. However, submittal has been tied up while the applicant is in discussions with the Las Vegas Valley Water District. The delay will extend past the expiration date of the entitlements, and the applicant expects to be able to submit for permits within the next two months.

**Staff Report Page Two**  
**July 17, 2024 - City Council Meeting**

There have been several Code Enforcement complaints during the current property owner's tenure regarding homeless encampments and debris on this site. During a recent field check, staff noted a homeless encampment, high weeds and debris located on the perimeter of the site. Temporary chain link fencing surrounding the site was damaged along 23rd Street and broken furniture was noted in the public sidewalk adjacent to the site. Code Enforcement has already been monitoring the site for compliance issues.

**FINDINGS (24-0274-EOT1 through EOT3)**

No new development or significant changes in land use in the surrounding area have occurred since the time of original approval. The East Las Vegas Plan encourages infill development and a range of housing choices that the approved development would help provide. Staff therefore recommends approval of the requested Extensions of Time for a period of two years, subject to conditions. If denied, 21-0649-VAR1, 21-0649-VAR2 and 21-0649-SDR1 would be deemed to be expired as of May 18, 2024.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
07/24/18	A Code Enforcement case (CE-191501) was processed for trash and debris on property located at 1404 North 23 <sup>rd</sup> Street. The case was resolved on 08/08/18.
06/02/21	The City Council approved a request for a General Plan Amendment (21-0029-GPA1) to adopt the City of Las Vegas 2050 Master Plan and amend the City of Las Vegas General Plan from various categories to TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), or NMXU (Neighborhood Center Mixed Use) within the City of Las Vegas. The Planning Commission recommended approval of the request.
12/09/21	Code Enforcement processed a Case (CE21-05666) for vagrant encampments with trash and debris at 1404 North 23rd Street. The case was resolved by Code Enforcement on 12/28/21.
05/18/22	The City Council approved a request for a Variance (21-0649-VAR1) to allow 19 parking spaces where 23 spaces are required on 0.44 acres at 1401 North 23rd Street. The Planning Commission recommended approval; staff recommended denial.

**Staff Report Page Three**  
**July 17, 2024 - City Council Meeting**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
05/18/22	The City Council approved a request for a Variance (21-0649-VAR2) to allow a five-foot residential adjacency setback where 71 feet is required and a 10-foot rear yard setback where 20 feet is required on 0.44 acres at 1401 North 23rd Street. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (21-0649-SDR1) for a proposed two-story, 12-unit multi-family residential development with a Waiver of the perimeter landscape buffer requirements on 0.44 acres at 1401 North 23rd Street. The Planning Commission recommended approval; staff recommended denial.
12/28/23	Code Enforcement processed a Case (CE23-08675) for vagrant encampments at 1404 North 23rd Street. The case was resolved by Code Enforcement on 01/17/24.
01/30/24	Code Enforcement processed a Case (CE24-00490) for homeless encampments at 1404 North 23rd Street. The case was resolved by Code Enforcement on 05/28/24.
05/21/24	Code Enforcement processed a Case (CE24-03534) for a homeless encampment and cut chain link fence at 1404 North 23rd Street. The case is currently being monitored by Code Enforcement.

<b><i>Most Recent Change of Ownership</i></b>	
02/14/18	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
08/25/23	An application was processed for civil improvement plans (L23-01693) for driveway and utility connections at 1404 North 23rd Street. Plans are still in the review process.

<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting was not required, nor was one held.	

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	

**Staff Report Page Four**  
**July 17, 2024 - City Council Meeting**

<b>Field Check</b>	
06/12/24	The site is undeveloped with a homeless encampment, high weeds and debris located on the perimeter. Temporary chain link fencing surrounding the site was damaged along 23rd Street. A couch was also noted in the public sidewalk adjacent to the site. Code Enforcement was notified to monitor the site.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.44

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	NMXU (Neighborhood Mixed Use Center)	R-3 (Medium Density Residential)
North	Residential, Multi-Family	SC (Service Commercial)	R-3 (Medium Density Residential)
South	Undeveloped	NMXU (Neighborhood Mixed Use Center)	R-1 (Single Family Residential)
East	Car Wash, Full Service	NMXU (Neighborhood Mixed Use Center)	C-2 (General Commercial)
West	Residential, Multi-Family	M (Medium Density Residential)	R-3 (Medium Density Residential)

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
Las Vegas 2050 Master Plan Area: East Las Vegas	Y
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
No Applicable Special Area or Overlay Districts	N/A
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails	N/A
Las Vegas Redevelopment Plan Area - Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A