

*City of Las Vegas*

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: AUGUST 3, 2022

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: KARDIA PROPERTIES, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
<b>22-0275-EOT1</b>	Staff recommends APPROVAL.	
<b>22-0275-EOT2</b>	Staff recommends APPROVAL.	22-0275-EOT1

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

NOTICES MAILED N/A

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

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**22-0275-EOT1 CONDITIONS**

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**Planning**

1. This approval shall expire on June 17, 2024 unless another Extension of Time is approved.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-78417) and all other related actions as required by the Department of Planning and 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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**22-0275-EOT2 CONDITIONS**

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**Planning**

4. This approval shall expire on June 17, 2024 unless another Extension of Time is approved.
5. Conformance to the Conditions of Approval for Variance (VAR-78416) and all other related actions as required by the Department of Planning and Department of Public Works.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Staff Report Page One**  
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**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is requesting Extensions of Time for entitlements related to a three story, 53-unit multi-family residential apartment building located on the south side of Harris Avenue between Lily Land and Effinger Street.

**ISSUES**

- This is the first Extension of Time request for Site Development Plan Review (SDR-78417) and Variance (VAR-78416).

**ANALYSIS**

The applicant is requesting Extensions of Time for the following entitlements, originally approved June 17, 2020:

- A Site Development Plan Review (SDR-78417) for a proposed three story, 53-unit multi-family residential development with a waiver of the perimeter landscape buffer requirements;
- A Variance (VAR-78416) to allow 68 parking spaces where 95 parking spaces are required.

The submitted justification letter states that civil improvements plans (L21-00315) for offsite and onsite improvements are ready to be approved by the city. Referenced plans have been signed by Southwest Gas, NV Energy, Centurylink, and Cox and have been submitted to City departments and the Las Vegas Valley Water District for approval. Architectural drawings and building plans (PRC 21-00037) have been submitted for review and are awaiting approvals of the submitted civil improvement plans. The request for these Extensions of Time would allow the applicant to secure final approvals of the civil improvement plans and required building permits.

Pursuant to Title 19.16.140 and Title 19.16.100 land entitlements are deemed exercised upon the issuance of a building permit for the structure on site. Since no building permits have been issued, an Extension of Time is necessary. If denied, the land entitlements will have expired on June 17<sup>th</sup>, 2022.

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**FINDINGS (22-0275-EOT1 and EOT2)**

While the applicant has not exercised the Site Development Plan Review or Variance approvals, the applicant has demonstrated the ability to develop this site in a timely manner, as building and off/onsite improvements are ready to be submitted for review; therefore, staff recommends approval of these Extension of Time requests. If approved, a two-year time limit is recommended for the extensions. If the Extension of Time requests are denied, Site Development Plan Review (SDR-78417) and Variance (VAR-78416) would expire, effective June 17, 2022.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i></b>	
06/20/01	The City Council approved a Special Use Permit and Site Development Plan Review (U-0053-01) for a proposed 12,289 square-foot church on the southeast corner of Harris Avenue and Shelby Street (APNs 139-25-410-001 and 002). Planning Commission recommended approval.
	The City Council approved a Variance (V-0029-01) to allow a 30-foot front yard setback where 50 feet is required on the southeast corner of Harris Avenue and Shelby Street (APNs 139-25-410-001 and 002). Planning Commission recommended approval.
02/13/06	Code Enforcement processed a case (CE-38358) for a vacant lot with high weeds at the middle of Lilly Lane, south side of Harris Avenue and Lily Lane (APN 139-25-410-002). The case was resolved on 04/03/06.
12/10/07	Code Enforcement processed cases (CE-60468, CE-60469, and CE-60470) for a vacant lot with debris and trash with a surrounding fence falling down at the northeast corner of Harris Avenue and Lilly Lane (APN 139-25-410-001, 002, and 009). The cases were resolved on 01/16/08.
05/09/08	Code Enforcement processed a case (CE-65428) for vehicles stored on a vacant lot at the corner of Harris Avenue and Effinger Street (APN 139-25-410-009). The case was resolved on 05/27/08.
12/26/09	Code Enforcement processed a case (CE-85195) for commercial vehicles stored on a vacant lot (APN 139-25-410-002). The case was resolved on 02/03/10.
01/19/10	Staff administratively approved a Temporary Commercial Permit (TCP-37213) for a temporary contractor's construction yard for McKnight Senior Village II. The permit was completed on 05/17/18.

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<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i></b>	
05/14/19	Code Enforcement processed a Case (CE-200095) for an RV parked on a vacant lot with people living in it on the southeast corner of Harris Avenue and Shelby Street (APN 139-25-410-001). The case was resolved on 07/17/19.
05/15/19	Code Enforcement processed a case (CE-200147) for an RV parked on a vacant lot with people living in it on the southeast corner of Harris Avenue and Shelby Street (APN 139-25-410-001). The case was resolved on 07/17/19.
01/28/20	Code Enforcement processed a case (CE20-00440, CE20-00441, and CE20-00442) for homeless encampments on a lot at the corner of Harris Avenue and Lilly Lane. The cases were resolved on 02/27/20.
06/17/20	The City Council approved a General Plan Amendment (GPA-78413) From: L (Low Density Residential) To: (High Density Residential). The Planning Commission recommended approval.
	The City Council approved a Rezoning (ZON-78414) From: R-E (Residence Estates) To: R-4 (High Density Residential). The Planning Commission recommended approval.
	The City Council approved a Variance (VAR-78416) to allow 68 parking spaces where 95 parking spaces are required. The Planning Commission recommended approval.
	The City Council approved a Site Development Plan Review (SDR-78417) for a proposed three story, 53-unit multi-family residential development with a Waiver of the perimeter landscape buffer requirements. The Planning Commission recommended approval.

<b><i>Most Recent Change of Ownership</i></b>	
10/24/19	A deed was recorded for a change in ownership.

<b><i>Related Building Permits/Business Licenses</i></b>	
02/17/21	A Building Permit (PRC21-00037) for a three story, 52-unit multi-family residential building with attached clubhouse is currently in review pending resubmittal of building and architectural plans.
02/24/21	Civil Improvement Plans (L21-00315) for grading, flatwork, sidewalks, asphalt parking lot, landscaping, utilities and building construction have been submitted pending final resubmittal.

<b><i>Pre-Application Meeting</i></b>	
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>Field Check</i></b>
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06/30/22	A field check was conducted by staff and observed an undeveloped lot surrounded by chain-link fencing. Nothing of concern was noted.
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<b><i>Details of Application Request</i></b>
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<b><i>Site Area</i></b>
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Gross Acres	1.69
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<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	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
North	Public or Private School, Primary	PF (Public Facilities)	C-V (Civic)
South	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Single Family, Detached	L (Low Density Residential)	R-E (Residence Estates)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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