

*City of Las Vegas*

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: NOVEMBER 16, 2022  
 DEPARTMENT: COMMUNITY DEVELOPMENT  
 ITEM DESCRIPTION: APPLICANT/OWNER: JUAN'S, LLC

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>22-0520-EOT1</b>	Staff recommends APPROVAL, subject to conditions:	

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**NOTICES MAILED** N/A

**PROTESTS** 0

**APPROVALS** 0

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

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**22-0520-EOT1 CONDITIONS**

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**Planning**

1. This approval shall expire on 11/18/24, unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Site Development Plan Review (20-0132-SDR1) shall be required, if approved.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

The applicant is requesting an Extension of Time for Site Development Plan Review (20-0132-SDR1) for a proposed 2,030 square-foot Building Maintenance Service and Sales Development with Waivers of the perimeter landscape buffer requirements, to not treat all sides of the building coherently and to not orient the building to the corner where such is required on 0.56 acres at 3800 Leon Avenue.

**ISSUES**

- Per Title 19, an application for an Extension of Time shall be heard by the Planning Commission or City Council, whichever body took final action to approve the item subject to an Extension of Time.
- The subject entitlement, Site Development Plan Review (20-0132-SDR1) was approved by the City Council on November 18, 2020.
- This is the first request for an Extension of Time for previously approved Site Development Plan Review (20-0132-SDR1). Staff supports the request.
- If an Extension of Time is not granted, Site Development Plan Review (20-0132-SDR1) will expire on November 18, 2022.

**ANALYSIS**

On November 18, 2020 the City Council approved Site Development Plan Review (20-0132-SDR1) with a Condition of Approval Number that states, *“this approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.”*

Title 19.16.100 of the Unified Development Code deems a Site Development Plan Review exercised upon the issuance of a building permit for the principal structure on the site. A building permit has not been applied for as of 10/18/22, and an issuance of a building permit by the expiration date is unlikely. The previously approved Site Development Plan Review will expire on November 18, 2022 unless extended by approval of this request.

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The purpose of an Extension of Time is to provide a mechanism for extending the approval period of an approved application with time limitations imposed by the City Council or Planning Commission. The application for an extension shall be made to the Planning Commission or City Council, whichever body took final action to approve the Site Development Plan Review. In this instance, the City Council took final action, and set a time limitation of two years.

As stated by the applicant in the justification letter date stamped 09/22/22, the applicant is requesting more time to complete the civil plans and watch to see if interest rates stabilize.

## **FINDINGS**

Site Development Plan Review (20-0132-SDR1) has not been exercised in accordance with the requirements of Title 19.16. Staff finds there are no significant development changes in the area and the approved land use remains compatible with the surrounding area. Therefore, staff is recommending approval of the Extension of Time request with a two-year time limit.

## **BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i></b>	
11/18/20	The City Council approved a request for a General Plan Amendment (20-0132-GPA1) from SC (Service Commercial) to GC (General Commercial) on 0.56 acres at 3800 Leon Avenue. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (20-0132-SDR1) for a proposed 2,030 square-foot Building Maintenance Service and Sales Development with Waivers of the perimeter landscape buffer requirements, to not treat all sides of the building coherently and to not orient the building to the corner where such is required on 0.56 acres at 3800 Leon Avenue. The Planning Commission and staff recommended approval.

<b><i>Most Recent Change of Ownership</i></b>	
04/2020	A deed was recorded for a change in ownership.

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***Related Building Permits/Business Licenses***

There are no building permits or business licenses related to the subject site.

***Pre-Application Meeting***

09/01/22	Staff provided the applicant a submittal checklist for the requested Extension of Time.
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***Neighborhood Meeting***

A neighborhood meeting was not required, nor was one held.

***Field Check***

10/18/22	Staff performed a routine field check to observe the subject site. Staff observed an undeveloped lot void of debris and/or vegetation. The adjacent business to the west appears to be using the far western edge as over flow parking as there were three vehicles parked along the western property line.
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***Details of Application Request***

***Site Area***

Net Acres	0.56
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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	GC (General Commercial)	C-2 (General Commercial)
North	Single Family, Detached	SC (Service Commercial)	C-2 (General Commercial)
South	Individual Care Center	TOC-2 (Transit Oriented Corridor – Low)	C-2 (General Commercial)
East	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Auto Repair Garage, Major	SC (Service Commercial)	C-2 (General Commercial)

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<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Rancho	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
A-O (Airport Overlay) District – 105 Feet	Y
RP-O (Rural Preservation Overlay) District	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Northwest Open Space Plan	Y
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A