



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 17, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-31618 EXTENSION OF TIME SPECIAL USE PERMIT -**

**APPLICANT/OWNER: PASTOR JAMES & ELIZABETH BRACY, JR.**

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

**STAFF RECOMMENDATION: APPROVAL, subject to:**

**Planning and Development**

1. This Special Use Permit (U-0072-00) shall expire on 10/18/10 unless another Extension of Time is approved by the Planning and Development Department.
2. Conformance to all conditions of approval of Special Use Permit (U-0072-00) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

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

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Special Use Permit (U-0072-00) for a proposed 1,744 square-foot Church at 330 North 9<sup>th</sup> Street.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
01/22/81	The Board of Zoning Adjustment approved a request for a Variance (V-0107-80) to allow an addition to an existing non-conforming residential building nine (9) feet from the rear property line where twenty (20) feet is required; and to allow the addition to the building to be eight (8) feet from another existing residential building on the same lot where ten (10) feet is required on property located at 330 North 9 <sup>th</sup> Street.
10/18/00	The City Council approved a request for a Special Use Permit (U-0072-00) for a proposed 1,744 square-foot Church/House of Worship at 330 North 9 <sup>th</sup> Street. The Planning Commission recommended approval on 09/14/00.
01/22/03	The City Council approved a request for an Extension of Time (EOT-1227) of an approved Special Use Permit (U-0072-00) for a proposed Church/House of Worship at 330 North 9 <sup>th</sup> Street.
11/17/04	The City Council approved a request for a Second Extension of Time (EOT-5421) of an approved Special Use Permit (U-0072-00) for a proposed Church/House of Worship at 330 North 9 <sup>th</sup> Street.
05/18/06	A Code Enforcement case (42274) was processed for a vacant house with broken windows at 330 North 9 <sup>th</sup> Street. The case was closed on 07/16/06.
11/01/06	The City Council approved a request for an Extension of Time (EOT-17091) of an approved Special Use Permit (U-0072-00) for a proposed Church/House of Worship at 330 North 9 <sup>th</sup> Street.
08/06/08	The City Council approved a request for a Review of Condition Number 2 (ROC-28660) to not provide a landscaping plan showing 24-inch box trees spaced 20 feet on center; and Condition Number 3 to not provide a six-foot wall with a minimum 20 percent contrasting material of an approved Special Use Permit (U-0072-00) that allowed a Church/House of Worship at 330 North 9 <sup>th</sup> Street.
<b><i>Related Building Permits/Business Licenses</i></b>	
12/19/94	A building permit (94360883) was issued for service change out- no upgrade at 330 North 9 <sup>th</sup> Street. The permit was finalized on 01/04/95.
07/29/95	A building permit (95364506) was issued for equipment change out. The permit was never finalized.

10/02/07	A building permit (07002808) was issued for a sign at 330 North 9 <sup>th</sup> Street. The permit was finalized on 10/24/07.
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There are no business licenses issued for 330 North 9 <sup>th</sup> Street.
<b><i>Pre-Application Meeting</i></b>
A pre-application meeting is not required for this type of application, nor was one held.
<b><i>Neighborhood Meeting</i></b>
A neighborhood meeting is not required for this type of application, nor was one held.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.25

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Church	MXU (Mixed-Use)	R-4 (High Density Residential)
North	Multi-Family Residential	MXU (Mixed-Use)	R-2 (Medium-Low Density Residential)
South	Apartments	MXU (Mixed-Use)	R-4 (High Density Residential)
East	Apartments	MXU (Mixed-Use)	R-4 (High Density Residential)
West	Multi-Family Residential	MXU (Mixed-Use)	R-3 (Medium Density Residential)

<b><i>Special Districts/Zones</i></b>	<b><i>Yes</i></b>	<b><i>No</i></b>	<b><i>Compliance</i></b>
<b>Special Area Plan</b>	X		Y
Las Vegas Redevelopment Plan	X		Y
<b><i>Special Districts/Zones</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		Y
Live/Work Overlay District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

## ANALYSIS

This is the fourth request for an extension of time for the proposed development. Title 19.18.060 deems a Special Use Permit exercised upon approval of a business license to the activity, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection. Since the approval of the project, the applicant has not been issued permits and/or the applicable inspections to meet the requirements of Title 19.18 in order to exercise the Special Use Permit (U-0072-00).

## **FINDINGS**

The applicant is requesting an extension of time to meet Title 19 requirements in order to exercise the entitlement of the Special Use Permit. Once the construction of the main building is completed, a certificate of occupancy will be required. Staff recommends approval of the extension of time request with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (U-0072-00) shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**            N/A

**ASSEMBLY DISTRICT**            N/A

**SENATE DISTRICT**            N/A

**NOTICES MAILED**            N/A

**APPROVALS**            0

**PROTESTS**            0