



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-35315 EXTENSION OF TIME SPECIAL USE PERMIT -

APPLICANT/OWNER: NORTHWEST INVESTMENTS, LLC AND KAG PROPERTY, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-20478) shall expire on September 19, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to all conditions of approval of Special Use Permit (SUP-20478) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently undeveloped with a previously approved Special Use Permit (SUP-20478) for a Non-Restricted Gaming Facility at the southeast corner of Oso Blanca Road and the Hualapai Way alignment. Since the approval of Special Use Permit (SUP-20478), the applicant has not made any progress on the proposed development in the form of the issuance of building permits or business licenses. The surrounding area has not experienced any significant changes in land use, but there is a proposed 213-lot mixed-use subdivision for properties to the south and west.

The Special Use Permit (SUP-20478) has not met the requirements of Title 19.18.060 to exercise the entitlements. The applicant is requesting a five-year Extension of Time due to poor economic conditions. Staff recommends approval of the Extension of Time with a two-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved a request for a Petition to Annex (A-0038-02) undeveloped property generally located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres with an effective date of 02/14/03. The Planning Commission recommended approval on 10/24/02.
06/15/05	The City Council approved a request for a Special Use Permit (SUP-6401) for a proposed Tavern adjacent to the northwest corner of Iron Mountain Road and Oso Blanca Road. The Planning Commission recommended approval on 05/12/05.
06/15/05	The City Council approved a request for a Site Development Plan Review (SDR-6402) for a 5,843 square-foot Tavern on 2.37 acres adjacent to the northwest corner of Iron Mountain Road and Oso Blanca Road. The Planning Commission recommended approval on 05/12/05.
09/06/06	The City Council approved a request for a Required Review (RQR-15482) of a previously approved Site Development Plan Review (SDR-6402) for a 5,843 square-foot Tavern on 2.37 acres at 9213 Oso Blanca Road.

10/05/06	The Planning Commission approved a request for a Site Development Plan Review (SDR-16166) and a waiver of perimeter landscaping requirements for a 5,843 square-foot Tavern and 6,750 square-foot Retail Store on 2.37 acres at 9213 Oso Blanca Road.
09/19/07	The City Council approved a request to amend a portion of the Centennial Hills Sector Plan of the General Plan (GPA-20469) from PCD (Planned Community Development) and SC (Service Commercial) to TND (Traditional Neighborhood Development) on 7.27 acres on the west side of Oso Blanca Road, approximately 2,190 feet south of Kyle Canyon Road. The Planning Commission recommended approval on 08/23/07.
09/19/07	The City Council approved a request for a Rezoning (ZON-20475) to establish a G-O (Gaming Enterprise Overlay) District on 51.38 acres at the southeast corner of Oso Blanca Road and the Hualapai Way alignment. The Planning Commission recommended approval on 08/23/07.
09/19/07	The City Council approved a request for a Special Use Permit (SUP-20478) for a proposed Non-Restricted Gaming Facility at the southeast corner of Oso Blanca Road and the Hualapai Way alignment. The Planning Commission recommended approval on 08/23/07.
09/19/07	The City Council approved a request for a Rezoning (ZON-22351) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], C-1 (Limited Commercial), and C-2 (General Commercial) to T-D (Traditional Development) on 7.27 acres at the southeast corner of Oso Blanca Road and the Hualapai Way alignment. The Planning Commission recommended approval on 08/23/07.
12/03/08	The City Council approved a request for a required Review of a Development Report (DIR-29916) pursuant to Subsection 9.01 of the Development Agreement between the City of Las Vegas and Kyle Acquisition Group, LLC on approximately 1,712 acres generally located at the southwest corner of Fort Apache Road and Moccasin Road.

Related Building Permits/Business Licenses

There are no building permits or business licenses issued for the subject site.

Pre-Application Meeting

A pre-application meeting is not required for this type of application, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required for this type of application, nor was one held.

Details of Application Request

Site Area

Gross Acres	7.42
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land- Proposed Hotel/Casino	TND (Traditional Neighborhood Development)	T-D (Traditional Development)
North	Undeveloped Land	SC (Service Commercial)	U (Undeveloped) [SC (Service Commercial) General Plan Designation]
	U.S. 95 Freeway	ROW (Right-of- Way)	ROW (Right-of-Way)
South	Undeveloped Land	TND (Traditional Neighborhood Development)	T-D (Traditional Development)
East	U.S. 95 Freeway	ROW (Right-of- Way)	ROW (Right-of-Way)
West	Undeveloped Land	TND (Traditional Neighborhood Development)	T-D (Traditional Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-D Traditional Development District	X		Y
Kyle Canyon Development	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
G-O (Gaming Enterprise Overlay) District	X		Y
T-D (Traditional Development) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an Extension of Time of a previously approved Special Use Permit (SUP-20478) for a proposed Non-Restricted Gaming Facility at the southeast corner of Oso Blanca Road and the Hualapai Way alignment. Since the approval of the Special Use Permit (SUP-20478), the applicant has not made any progress on the proposed development as no building permits have yet to be issued. Properties to the west and south of the subject site have approved plans for a proposed 213-lot mixed used subdivision.

Title 19.18.060 deems a Special Use Permit exercised upon the issuance of a certificate of occupancy or approval of a final inspection.

FINDINGS

The Special Use Permit (SUP-20478) has not met the requirements outlined in Title 19.18.060 to exercise the entitlement. No plans have been submitted for review nor have any building permits been issued for the proposed project. The applicant is requesting a five-year extension of time due to the poor economic conditions within Las Vegas. Staff is recommending approval of the Extension of Time with a two-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-20478) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 304

APPROVALS 0

PROTESTS 0