



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 2, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-26873 - EXTENSION OF TIME SPECIAL USE PERMIT
PLAN REVIEW - APPLICANT/OWNER: CIM/LL LAS VEGAS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-10491), if not exercised, shall expire on 2/15/10 unless another Extension of Time is approved by the Planning and Development Department.
2. Conformance to all conditions of approval of Special Use Permit (SUP-10491) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is the first request for a Two-Year Extension of Time of an approved Special Use Permit (SUP-10491) for a proposed 8,700 square-foot expansion of an existing Non-Restricted Gaming Facility on 3.12 acres at 206 North 3rd Street and 220 North 4th Street.

A related Extension of Time (EOT-26872) for a Site Development Plan Review (SDR-10490) will accompany this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/26/62	The Board of City Commissioners approved Ordinance 1014, which reaffirmed the C-2 (General Commercial) Zone on the parcels that border to the east and west of the subject site.
10/04/89	The City Council approved a request for an Aesthetic Review (AR-0012-89) of a temporary tent structure located on the subject site. A condition of approval required the structure to be removed from the property no later than September 14, 1994.
1/02/91	The City Council approved a request for an Aesthetic Review (AR-0016-90) of a temporary trailer on the subject site. A condition of approval required the trailer to be removed from the property no later than September 14, 1994.
9/21/94	The City Council approved a Review of Condition [AR-0012-89(1) and AR-0016-90(1)] for the continued use of the temporary tent structure approved under (AR-0012-89) and the temporary trailer approved under (AR-0016-90). A condition of that approval required the use of both structures to be reviewed in five-years.
9/14/98	The City Council approved a Petition to Vacate Third Street between Stewart Avenue and Ogden Avenue (VAC-0030-98). The Planning Commission recommended approval on August 13, 1998. Staff recommended approval.
10/20/99	The City Council approved a Required Five-Year Review [AR-0012-89(2) and AR-0016-90(2)] to allow for the continued use of the temporary tent structure approved under (AR-0012-89) and the temporary trailer approved under (AR-0016-90). A condition of that approval required that both structures be removed by October 17, 2002.
1/05/00	The City Council approved a Site Development Plan Review (SD-0030-99) for a proposed pedestrian mall on Third Street between Stewart Avenue and Ogden Avenue. The Planning Commission recommended approval on November 18, 1999. Staff recommended approval.

10/12/00	The Planning Commission approved a second Extension of Time on an approved Vacation [VAC-0030-98(2)] to vacate Third Street between Stewart Avenue and Ogden Avenue. Staff recommended approval.
9/19/01	Planning and Development Department Staff administratively approved a third Extension of Time [VAC-0030-98(3)] to vacate Third Street between Stewart Avenue and Ogden Avenue. The expiration date was September 19, 2002.
10/17/01	The City Council approved a Review of Condition [AR-0012-89(3) and AR-0016-90(3)] for the continued use of the temporary tent structure approved under (AR-0012-89) and the temporary trailer approved under (AR-0016-90). A condition of that approval required the use of both structures to be removed by October 17, 2002.
12/06/01	The Planning Commission approved a Site Development Plan Review (SD-0071-01) for a proposed 14,765 square foot banquet hall and general site improvements on the subject site.
12/19/02	The City Council approved a Review of Condition (ROC-1073) of an approved Review of Condition [AR-0012-89(3) and AR-0016-90(3)] which required the temporary structures on the subject site to be removed by October 17, 2002. A condition of approval required the use of both structures to be removed by October 17, 2003.
11/19/03	The City Council approved a Review of Condition (ROC-3218), allowing an extension for the removal of the temporary structures on the site. A condition of approval required both structures to be removed by October 17, 2004.
5/05/04	The City Council approved a Vacation (VAC-3926) of the Third Street right-of-way between Stewart Avenue and Ogden Avenue, conditioned upon the approval of a Site Development Plan Review application for the vacated right-of-way. The Planning Commission recommended approval of the request on April 8, 2004.
8/26/04	The Planning Commission approved a Site Development Plan Review (SDR-4835) for Valet parking in the vacated Third Street right-of-way
9/15/04	The City Council approved the Special Use Permit (SUP-4739, SUP-4741, SUP-4742, SUP-4743) applications of four Liquor Establishments (Taverns) on the west side of the vacated Third Street right-of-way. The Planning Commission recommended approval of the requests on August 12, 2004.
12/15/04	The City Council approved a Review of Condition (ROC-5644), allowing an extension for the removal of the temporary structures on the site. A condition of approval requires both structures to be removed by October 17, 2006.
8/25/05	The Planning Commission approved a Tentative Map (TMP-8072) for a one-lot commercial subdivision on the subject property.
2/15/06	The City Council approved Site Development Plan Review (SDR-10490) and Special Use Permit (SUP-10491) for an expansion of Non-Restricted Gaming Facilities on the subject property. The Planning Commission recommended approval on 01/12/06.

9/21/06	The Planning Commission tabled a Site Development Plan Review (SDR-15380) and Special Use Permit (SUP-15382) for a proposed 16,000 square-foot expansion of an existing Non-Restricted Gaming Facility and Waivers of the Downtown Centennial Streetscape Standards on 3.03 acres on the southwest corner of Stewart Avenue and Fourth Street at the applicants request.
<i>Related Building Permits/Business Licenses</i>	
There have been no building permits or business licenses filed for the related proposal.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.12 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Non-Restricted Gaming Establishment Hotel and Casino	C (Commercial)	C-2 (General Commercial)
North	Museum/Park	PF (Public Facility)	C-V (Civic)
South	Parking Garage	C (Commercial)	C-2 (General Commercial)
East	Non-Restricted Gaming Establishment Hotel and Casino	C (Commercial)/ PF (Public Facility)	C-2 (General Commercial)
West	Liquor Establishment (Tavern)/ Pawnshop	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan Central Casino Core	X		Y
Redevelopment Plan Area Downtown Redevelopment Area	X		Y

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O Airport Overlay District	X		Y
Downtown Casino Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

ANALYSIS

This is the first extension of time request for the approved Special Use Permit (SUP-10490) for a proposed 8,700 square-foot expansion of an existing Hotel/Casino. Although no building permits or business licenses have been filed to secure the entitlement since the initial approval, there has been a change in ownership of the subject property. The applicant is seeking the extension of time in order to complete the required development agreements and environmental assessments prior to initiating construction.

FINDINGS

Approval of this request is recommended with a two-year time limit that will expire on 2/15/10. Conformance to the conditions of approval for Special Use Permit (SUP-10490) and the related Site Development Plan Review (SDR-10490) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0