



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: APRIL 2, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: EOT-26896 - EXTENSION OF TIME SPECIAL USE PERMIT -**  
**APPLICANT: JUSTEN MARTINEZ - OWNER: DAN MARTINEZ**

---

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

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

**Planning and Development**

1. This Special Use Permit (SUP-18637), if not exercised, shall expire on 2/21/10 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-18637) 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 a request for a Two-Year Extension of Time of an approved Special Use Permit (SUP-18637) for a Mixed-Use Development This is the first requested extension of time for the proposed Mixed-Use Development located on 1.39 acres at 709-731 Fremont Street.

A related Extension of Time (EOT-26898) for an approved Site Development Plan Review (SDR-18638) accompanies this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
12/15/04	City Council approved SUP-5362 for a Restaurant with Service Bar for 731 Fremont Street
6/01/05	City Council approved SUP-6267 for a Tavern for 719 Fremont Street.
2/21/07	The City Council approved a Site Development Plan Review (SDR-18638) for a 40-story, 395-unit Mixed-Use Development with 15,892 square-feet of Retail Space and 9,050 square-feet of Office Space and Waivers of the Downtown Building Stepback, Parking Structure Stepback, and Downtown Streetscape Requirements and a Special Use Permit (SUP-18637) for a proposed mixed-use development on 1.39 acres at 709-731 Fremont Street.
11/29/07	The Planning Commission approved the request by the applicant to strike the request for a Tentative Map (TMP-21996) for a 395-unit Mixed-Use Development.
<b><i>Related Building Permits/Business Licenses</i></b>	
There are no business licenses or building permits affiliated with this proposed development.	
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	
<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	1.39 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Vacant lot	C (General Commercial)	C-2 (General Commercial)
North	Vacant building	C (General Commercial)	C-2 (General Commercial)
South	Motel	Mixed-Use	C-2 (General Commercial)
East	Vacant lot	C (General Commercial)	C-2 (General Commercial)
West	Motel	C (General Commercial)	C-2 (General Commercial)

<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>			
Downtown Centennial 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>			
Downtown Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District		X	N/A
A-O (Airport Overlay) District	X		Y
Downtown Casino Overlay District		X	N/A
Downtown Entertainment Overlay District	X		Y
Live/Work Overlay District	X		Y
<b>Trails</b>	X		Y
<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 first extension of time request for the approved Special Use Permit (SUP-18637) for a Mixed-Use Development. The City Council granted this request with a one-year approval. No building permits or business licenses have been filed to secure the Mixed-Use entitlement since the initial approval. A Tentative Map (TMP-21996) was submitted to the 11/29/07 Planning Commission, but was stricken from the agenda at the applicants request.

**FINDINGS**

Approval of this request is recommended with a two-year time limit that will expire on 2/21/10. Conformance to the conditions of approval for Special Use Permit (SUP-18637) shall be required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0