



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 11, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-29194 - APPLICANT: TELEMUNDO LAS VEGAS INC. -

OWNER: FAEC HOLDINGS WIRRULLA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a TV Broadcasting & Other Communication Service use.
2. This approval shall be void one year from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 17,500 square-foot TV Broadcasting & Other Communication Service located on 2.75 acres at 450 Fremont Street, Suite #310. The proposed project will be located within an existing tenant space at Neonopolis, which is a retail/entertainment complex that is physically suited for a TV Broadcasting & Other Communication Service; therefore staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a Rezoning (Z-0100-64) from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) to C-2 (General Commercial) for approximately 230 Acres generally located on property bounded by Main Street to the west, Bonanza Road on the north, Las Vegas Boulevard on the east, and Charleston Boulevard on the south. The Planning Commission approved Reclassification of this property.
03/09/98	The City Council accepted the applicants withdrawal for a Special Use Permit (U-129-97) to sell Packaged Liquor in an existing 7,400 square-foot Gift Shop. The Planning Commission recommended approval.
03/23/98	The City Council approved a Site Development Plan (SD-0003-98) on property bounded by Fremont Street, 4th Street, Ogden Avenue, and Las Vegas Boulevard South for a proposed 264,210 square-foot Retail / Entertainment Complex (Neonopolis). The Planning Commission recommended approval.
03/23/98	The City Council approved a Vacation (VAC-0002-98) to vacate Public Alleys generally located south of Ogden Avenue, between 4th Street and Las Vegas Boulevard. The Planning Commission recommended approval.
10/08/98	The Planning Commission approved a Tentative Map (TM-0052-98) on property located within the block bounded by Fremont Street, Ogden Avenue, 4th Street and Las Vegas Boulevard.
10/08/98	The Planning Commission approved a Final Map (FM-0088-98) for a commercial subdivision on property located between Fremont Street and Ogden Avenue, and between 4th Street and 5th Street.
10/08/98	The Planning Commission approved a Reversionary Map (RM-0005-98) on property located between Fremont Street and Ogden Avenue, and between 4th Street and 5th Street.

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10/08/98	The Planning Commission approved a Tentative Map for Property (TM-0052-98) located between Fremont Street, Ogden Avenue, 4th Street, and 5th Street.
08/15/01	The City Council approved and Encroachment Agreement (L-ENCR-20891) for two Grease Interceptors at Fourth Street and Fremont Street (NEC) and also Ogden Avenue and Las Vegas Boulevard (SWC).
10/03/01	The City Council approved a Special Use Permit (U-0117-01) for a proposed 2,162 square-foot Liquor Establishment (Tavern) (La Salsa) in conjunction with Neonopolis on the northwest corner of Fremont Street and Las Vegas Boulevard. The Planning Commission recommended approval.
01/16/02	The City Council approved a Master Sign Plan (MSP-0014-01) for Neonopolis at 450 Fremont Street. The Planning Commission recommended approval.
05/01/02	The City Council approved a Special Use Permit (U-0024-02) for a Liquor Establishment (Tavern) at 450 Fremont Street, Suite #101 (Neonopolis) with a Waiver of the minimum 1,500-foot Separation Requirement from religious facilities, Liquor Establishment (Taverns) and a school. Planning Commission recommended approval.
08/07/02	The City Council approved a Special Use Permit (U-0063-02) for a Liquor Establishment (Tavern) with a Waiver of the minimum 1,500-foot separation requirement from religious facilities, Liquor Establishment (Taverns) and a school for a Tavern at 450 Fremont Street, Suite# 130. The Planning Commission recommended approval.
11/20/02	The City Council approved a Special Use Permit (U-0124-02) for a Liquor Establishment (Tavern) (The In The Groove Lounge) at 450 Fremont Street; with a Waiver of the minimum 1,500-foot distance separation requirement from religious facilities, Liquor Establishment (Taverns) and a school. The Planning Commission recommended approval.
01/22/03	The City Council approved a Special Use Permit (SUP-1207) for a Psychic Arts Business within Neonopolis at 450 Fremont Street. The Planning Commission recommended approval.
<i>Related Building Permits/Business Licenses</i>	
10/09/03	A Business license (#A02-02075) was issued for an Advertising and Marketing Service (Henry Brent Advertising) at 450 Fremont Street, Suite #310. The license is still active.
10/16/03	A Business license (#A01-01255) was issued for an Administrative Office (Resort Gaming Group) at 450 Fremont Street, Suite #310. The license is still active.
<i>Pre-Application Meeting</i>	
07/25/08	A pre-application meeting was held and the elements for submitting a Special Use Permit for TV Broadcasting & Other Communication Service were discussed.

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<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
08/14/08	A field check was conducted at the subject site and staff observed a vacant tenant space with offices and furniture. Staff also noted other existing businesses operating within the retail/entertainment complex (Neonopolis).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.75

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail	C (Commercial)	C-2 (General Commercial)
North	Hotel, Parking	C (Commercial)	C-2 (General Commercial)
South	Parking/Restaurant Taverns	C (Commercial)	C-2 (General Commercial)
East	Retail	C (Commercial)	C-2 (General Commercial)
West	Retail, Parking	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	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (200 feet)	X		Y
Downtown Casino Overlay District	X		Y
Live/Work Overlay District	X		N/A
Las Vegas Boulevard Scenic Byway Overlay 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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundary, and is located in the Las Vegas Boulevard District. The proposed project is consistent with the goals and objectives of the Downtown Centennial Plan.

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Airport Overlay District (200 feet)

The subject property is within the boundaries of the Airport Overlay District. The additional height of the satellite dishes is under the 200-foot height limit of the North Las Vegas Airport Overlay and thus do not effect the overlay.

Downtown Casino Overlay District- The subject property is located within the Downtown Casino Overlay District. This area provides sign standards that only apply within this District to help ensure future sign development is consistent with the appearance of established signage themes and that generate excitement and positive visual interest. The proposed project has not submitted any signage proposal at this time.

Live/Work Overlay District - This site is within the Live/Work Overlay district. The proposed development will not offer any housing options and therefore the project is not impacted by the Live/Work standards as outlined in Title 19.06.130.

Las Vegas Boulevard Scenic Byway Overlay District- This project is adjacent to the Las Vegas Boulevard Scenic Byway, which governs sign standards for signage on Las Vegas Boulevard. All future signage will be required to comply with the Downtown Casino Overlay District and the Las Vegas Boulevard Scenic Byway Sign Standards.

DEVELOPMENT STANDARDS

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
TV Broadcasting	17,500 SF	1/300	58	3	0	0	
TOTAL	17,500 SF		58	3	0	0	N*

* Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of standard parking requirements. The parking needs for the proposed TV Broadcasting & Other Communication Service will be meet by the Neonopolis Parking Garage located underground of the subject site and The Fremont Street Public Parking Garage located directly across the street; providing more than 2,000 parking spaces when combined.

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ANALYSIS

This is a request to provide TV Broadcasting & Other Communication Service to the community and surrounding areas. Telemundo Las Vegas Inc. (aka KBLR-TV Channel 39) has stated in their justification letter that they are seeking to move to the Neonopolis retail/entertainment complex from its current facility at 73 Spectrum Boulevard. The proposed facility will encompass all portions of the broadcast operations, production, administrative and management components, which will be a welcome addition to the downtown area with the present mix of businesses operating within the Redevelopment Plan Area.

The proposed use is permissible in a C-2 (General Commercial) zoning district with the approval of a Special Use Permit. There are no Minimum Special Use Requirements for a TV Broadcasting & Other Communication Service. The applicant will be providing a service to the community and no other Waivers or Variances are requested nor needed by the applicant.

- Zoning
The property is zoned C-2 (General Commercial) and located within the Redevelopment Plan Area. TV Broadcasting & Other Communication Services are permitted with the approval of a Special Use Permit. The C-2 District is consistent with the General Commercial category of the General Plan, which generally allows retail, service, wholesale, office and other general business use of more intense commercial character.
- Use
TV Broadcasting & Other Communication Service as defined by Title 19.04.010, is a building or portion of a building used as a place for television broadcasting or similar communication-related activities. The proposed 17,500 square-foot TV Broadcasting & Other Communication Services will encompass an existing third floor tenant space within the Neonopolis Retail/Entertainment Complex. The floor plan submitted by the applicant calls for 12,500 square-feet of office and broadcast TV space and an additional 5,000 square-foot studio space.

FINDINGS

The following findings must be made for a Special Use Permit:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

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The proposed use is part of an existing retail/entertainment complex development that can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with the future surrounding land uses projected by the General Plan.

2. The subject site is physically suitable for the type and intensity of land use proposed.

The existing tenant space is physically suitable for the type and intensity of land use proposed by the TV Broadcasting & Other Communication Service. It will be located within Neonopolis, which is an intense entertainment venue in the Downtown Casino Overlay District.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Staff finds vehicular traffic will utilize the Fremont Experience parking garage, which is accessed from Carson Avenue and 4th Street, both of which are 80-foot Secondary Collectors and the underground parking garage of Neonopolis, which is accessed from 4th Street, which will be adequate for traffic generated by the proposed TV Broadcasting & Other Communication Service.

4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

This use will be subject to licensing requirements and will therefore not compromise the public health, welfare or safety or overall objectives of the General Plan.

5. The use meets all of the applicable conditions per Title 19.04.

The use is in conformance with Title 19.04.010 requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

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NOTICES MAILED 142

APPROVALS 0

PROTESTS 0