



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-29992 APPLICANT/OWNER: CORESTONE, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-15038) shall expire on 09/20/10, 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-15038) and all other site related actions as required by the Planning and Development and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-15038) for a proposed General Business-Related Gaming Establishment at 103-123 East Charleston Boulevard.

There is one (1) related Extension of Time (EOT-29994) that shall be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/83	The City Council approved a request for a Variance (V-0111-83) to allow the sale of used furniture, which is not permitted on property located at 105 East Charleston Boulevard. The Board of Zoning Adjustment recommended approval on 11/17/83.
01/19/00	The City Council approved a request for a Special Use Permit (U-0122-99) for a 14-foot by 48-foot Off-Premise Sign (Billboard) on property located at 107 East Charleston Boulevard. The Planning Commission recommended approval on 12/16/99.
01/08/03	The City Council approved a request for a Special Use Permit (SUP-1146) for a Restaurant Service Bar at 103 East Charleston Boulevard. The Planning Commission recommended approval on 12/05/02.
08/05/04	A Code Enforcement case (19812) was processed for abandoned vehicles, flat bed trailer, and vagrant camps living in political signs at 201 E. Charleston Blvd. The case was closed 09/14/04.
09/08/04	A Code Enforcement case (21355) was processed for a theater operating without a license and numerous safety violations. The case was closed 05/04/05.
12/02/04	A Code Enforcement case (24132) was processed for people living inside a commercial building at 101 E. Charleston Blvd. The case was closed 05/04/05.
12/13/04	A Code Enforcement case (24446) was processed for political signs at 201 E. Charleston Blvd. The case was closed 12/13/04.

01/06/05	A Code Enforcement case (1138 and 24941) was processed for campaign signs at the intersection of Charleston Blvd., and Casino Center (123 E. Charleston Blvd.). The case was closed 01/25/05.
02/16/05	The City Council approved a request for a Site Development Plan Review (SDR-5660) for a 20-story mixed-use development to include 98 residential units and 5,300 square feet of commercial space, and a waiver of the Downtown Centennial Plan streetscape requirements on 0.76 acres adjacent to the northeast corner of Charleston Boulevard and Casino Center Boulevard. The Planning Commission recommended approval on 01/13/05.
01/04/06	The City Council approved a request for a Special Use Permit (SUP-9886) for a mixed-use development at the northwest corner of Charleston Boulevard and Casino Center Boulevard. The Planning Commission recommended approval on 12/1/05.
01/04/06	The City Council approved a request for a Special Use Permit (SUP-9887) for a 540-foot tall building in the Airport Overlay at the northwest corner of Charleston Boulevard and Casino Center Boulevard. The Planning Commission recommended approval on 12/1/05.
01/04/06	The City Council approved a request for a Site Development Plan Review (SDR-9888) for a proposed 540-foot tall, 47-story mixed use development with 280 residential units and 5,540 square feet of commercial space with waivers of upper floor step back requirements, the building placement requirement, and the Downtown Centennial Plan streetscape standards at the northwest corner of Charleston Boulevard and Casino Center Boulevard. The Planning Commission recommended approval on 12/1/05.
09/20/06	The City Council approved a request for a Site Development Plan Review (SDR-15035) for a proposed 4,930 square-foot Urban Lounge and Waivers of the Downtown Centennial Plan streetscape and build-to-line standards on 0.13 acres at 103-123 East Charleston Boulevard. The Planning Commission recommended approval on 08/24/06.
09/20/06	The City Council approved a request for a Special Use Permit (SUP-15038) for a proposed General Business-Related Gaming Establishment at 103-123 East Charleston Boulevard. The Planning Commission recommended approval on 08/24/06.
09/20/06	The City Council approved a request for a Special Use Permit (SUP-15039) for a proposed Urban Lounge at 103-123 East Charleston Boulevard. The Planning Commission recommended approval on 08/24/06.
10/15/07	A Code Enforcement case (58905) was processed for a fence obstructing a sidewalk at 107 E. Charleston Blvd. The case was closed on 10/25/07.
03/11/08	A Code Enforcement case (63142) was processed for temporary and window signage at 101 E. Charleston Blvd. The case was closed 03/18/08.
03/11/08	A Code Enforcement case (63143) was processed for temporary and window signage at 123 E. Charleston Blvd. The case was closed 03/26/08.

06/04/08	The City Council approved a request for a Waiver (WVR-26441) of Title 18.12.130 to allow First Street to terminate in a dead end where a cul-de-sac is required at the southeast corner of First Street and Boulder Avenue. The Planning Commission recommended denial on 03/27/08.
08/28/08	The Planning Commission approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-29021) to modify the building elevations and placement of a proposed Urban Lounge at 123 East Charleston Boulevard.
<i>Related Building Permits/Business Licenses</i>	
10/18/91	A business license (P06-00514) was issued for Photography Services at 107 E. Charleston Blvd. A cease and desist was issued on 12/15/06 for non-payment.
08/05/94	A business license (Q09-00053) was issued for Architectural Services at 103 E. Charleston Blvd, Suite 105. The license is still active.
04/11/97	A business license (B20-00092) was issued for Business Support Services at 107 E. Charleston Blvd. The license is still active.
01/31/02	A business license (A01-01194) was issued for an Administrative Services Office at 107 E. Charleston Blvd. The license is still active.
01/21/03	A business license (C11-07412) was issued for Contractor Services at 103 E. Charleston Blvd., Suite 105. The license is still active.
07/01/03	A business license (L09-00200) was issued for Beer/Wine/Cooler On-Sale at 103 E. Charleston Blvd., Suite 107. The license is still active.
07/01/03	A business license (R09-01203) was issued for a Restaurant at 103 E. Charleston Blvd., Suite 107. The license is still active.
10/02/03	A business license (D06-00798) was issued for Graphic Design Services at 107 E. Charleston Blvd. The license is still active.
11/18/03	A business license (G04-05433) was issued for Gifts/Novelties at 109 E. Charleston Blvd., Suite 103. The license is still active.
02/23/04	A business license (A47-00030) was issued for an Artist/Art Studio at 109 E. Charleston Blvd., Suite 204. A cease and desist was issued on 3/15/07 for non-payment.
04/27/04	A business license (A47-00033) was issued for an Artist/Art Studio at 109 E. Charleston Blvd, Suite 102. The license is still active.
10/06/04	A business license (A47-00037) was issued for an Artist/Art Studio at 103 E. Charleston Blvd., Suite 108. The license is still active.
03/02/05	A business license (L26-00064) was issued for Special Event Beer/Wine/Cooler at 103 E. Charleston Blvd., Suite 107. The license is still active.
04/08/05	A business license (A48-00103) was issued for an Art Gallery-Retail at 109 E. Charleston Blvd., Suite 101. The license is still active.

09/16/05	A building permit (50828) was issued for a fire system monitoring at 107 E. Charleston Blvd. The permit was finalized 01/08/08.
12/13/05	A business license (M15-03233) was issued for Computer Sales and Service at 107 E. Charleston Blvd., Suite 201. The license is still active.
01/12/06	A business license (L18-00027) was issued for a Liquor Caterer at 107 E. Charleston Blvd. The license is still active.
01/03/07	A business license (N31-00154) was issued for Non-Profit Community Services at 101 E. Charleston Blvd., Suite 101. The license is still active.
07/23/07	A building permit (94165) was issued for a fire sprinkler system at 107 E. Charleston Blvd. The permit was finalized 12/27/07.
03/05/08	A building permit (103670) was issued for tenant improvements at 103 E. Charleston Blvd. The permit was finalized on 07/25/08.
03/27/08	A building permit (111628) was issued for electrical work for a tenant improvement at 103 E. Charleston Blvd. The permit is still active.
04/22/08	A building permit (113139) was issued and finalized for architectural revisions for restrooms at 103 E. Charleston Blvd. The permit is still active.
04/28/08	A building permit (113948) was issued for an office ceiling demolition at 107 E. Charleston Blvd., Suite 201. The permit was not finalized.
05/29/08	A building permit (115580) was issued for a fire sprinkler system at 107 E. Charleston Blvd, Suite 107. The permit was finalized 06/24/08.
06/09/08	A business license (A48-00181) was issued for Art/Graphic Arts at 107 E. Charleston Blvd. The license is still active.
07/09/08	A business license (W01-00117) was issued for Wedding Services at 103 E. Charleston Blvd. The license is still active.
07/21/08	A business license (M06-03014) was issued for Miscellaneous Sales at 103 E. Charleston Blvd. The license is still active.
07/21/08	A business license (P06-00995) was issued for Photography Services at 103 E. Charleston Blvd. The license is still active.
08/15/08	A building permit (102206) was issued for tenant improvements for a Restaurant at 103 E. Charleston Blvd., Suite 107. The permit is still active.
08/20/08	A business license (N31-00221) was issued for Non-Profit Community Services at 103 E. Charleston Blvd, Suite 101. The license is still active.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.29

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail Establishments	C (Commercial)	C-2 (General Commercial)
	Restaurant	C (Commercial)	C-2 (General Commercial)
North	Vacant	MXU (Mixed Use)	C-M (Commercial/Industrial)
	Laundry	MXU (Mixed Use)	C-M (Commercial/Industrial)
South	Retail Establishments	C (Commercial)	C-2 (General Commercial)
East	Vacant	C (Commercial)	C-2 (General Commercial)
West	Retail Establishments	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Downtown Centennial Plan	X		Y
Downtown Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
Live/Work 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

ANALYSIS

This is the first request for an extension of time for the General Business-Related Gaming Establishment. Since the approval of the Special Use Permit (SUP-15038), the applicant has applied for and received approval for a Major Amendment to an approved Site Development Plan Review (SDR-15035) to modify the building elevations and placement of the associated Urban Lounge. In addition, the applicant received approval for a Waiver (WVR-26441) to allow First Street to terminate in a dead end where a cul-de-sac is required at the southeast corner of First Street and Boulder Avenue. No permits have been issued for the Urban Lounge and General Business-Related Gaming Establishment. Approval of this request is recommended with a two-year time limit. Conformance to the conditions of approval for Special Use Permit (SUP-15038) shall be required.

FINDINGS

The applicant has shown progress on the proposed project. Approval of this request is recommended with a two-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-15038) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0