



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 5, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: WVR-29538 - APPLICANT/OWNER: GNLV CORPORATION, ET AL**

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### **\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Vacation (VAC-27033) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Waiver to Title 18.12.130 to allow Carson Avenue to terminate without the required cul-de-sac generally located on Carson Avenue east of Main Street. The Waiver of the required cul-de-sac would allow the applicant to grant public access to the entrance of the new Phase III tower at the Golden Nugget. Site Development Plan Reviews (SDR-11705), (SDR-26129) and a Vacation (VAC-27033) were previously approved for the tower expansion project. As the applicant is requesting this Waiver to grant public access to the new tower entrance, Carson Avenue and First Street would remain open to public traffic, both pedestrian and vehicular; therefore staff recommends approval of the request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a request for 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) on 230 acres on property bounded by Main Street to the west, Bonanza Road to the north, Las Vegas Boulevard to the east, and Charleston Boulevard to the south. The Planning Commission approved this request on 12/10/64. Staff recommended approval.
11/04/04	The Planning Commission heard a request for a Site Development Plan Review for a 12-story mixed-use development at 116 South First Street. This request was tabled at the request of the applicant.
11/02/05	The City Council approved a Petition to Vacate (VAC-8589) First Street from Fremont Street to approximately 150 feet north of Carson Avenue. The Planning Commission recommended approval. Staff recommended denial.
04/19/06	The City Council approved a Special Use Permit (SUP-11711) for a proposed 12,000 square foot expansion of a non-restricted gaming use; a Special Use Permit (SUP-11713) for a proposed 407-foot high building within the 200-foot restriction of the North Las Vegas Airport Overlay District; a Petition to Vacate (VAC-11715) a portion of First Street from Carson Avenue, extending approximately 150 feet to the north; and a Site Development Plan Review (SDR-11705) for a proposed 35-story, 116,094 square-foot hotel/casino expansion and 647space parking garage with Waivers of Downtown Centennial Plan Streetscape Standards, Stepback Standards, and Waivers to allow reflective glazing and above-ground utilities on 5.83 acres at 129 Fremont Street. The Planning Commission and staff recommended approval of all items.

01/24/08	The Planning Commission issued final approval of a Site Development Plan Review (SDR-26129) for a Major Amendment to a Site Development Plan Review (SDR-11705). The previously approved Site Development Plan Review was approved 04/19/06. Under that Site Development Plan Review a proposal to relocate a proposed hotel tower, to reduce the tower height to 272 feet, to reduce the number of guest rooms to 505, and to include three additional parcels that were not part of the original approval. The request also includes a Waiver of the Downtown Centennial Plan Standards to provide a three-foot wide amenity zone and a seven-foot wide sidewalk along Carson Avenue where a five-foot wide amenity zone and a ten-foot wide sidewalk are required. The full project is on 6.38 acres at 129 Fremont Street. Staff recommended approval.
10/09/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/dh).
<b><i>Related Building Permits/Business Licenses</i></b>	
03/26/07	A building permit (#07001025) was issued for the demolition of four buildings at 126 and 128 South First Street. A final inspection was completed 04/19/07.
04/23/07	A building permit (#07001388, Plan check C-23-07) was issued for an expansion to the hotel and casino at 129 Fremont Street. A temporary certificate of occupancy was issued 01/08/08 to expire 02/06/08.
07/02/07	A building permit (ELEC-93156) was issued for a temporary power pole at 132 South First Street. A final inspection was completed 07/05/07.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this application, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application, nor was one held.	
<b><i>Field Check</i></b>	
9/09/08	A field check was conducted at the subject site and staff observed construction of the tower expansion project for the Golden Nugget Casino while the main casino building and towers remain open for business. Application/Permit # 102483 was for the foundation only. There was also vehicular and pedestrian traffic open on Carson Avenue and First Street as well.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	6.38

<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use</i></b>	<b><i>Planned Land Use</i></b>	<b><i>Existing Zoning</i></b>
Subject Property	Hotel/Casino and Vacant	C (Commercial)	C-2 (General Commercial)
North	Casino and retail	C (Commercial)	C-2 (General Commercial)

South	Parking and Hotel/Casino	C (Commercial)	C-2 (General Commercial)
East	Hotel/Casino	C (Commercial)	C-2 (General Commercial)
West	Parking lot	C (Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Downtown Centennial Plan	X		Y
Redevelopment Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
Downtown Overlay District (Central Casino Core)	X		Y
A-O Airport Overlay District (200 Feet)	X		N*
Downtown Casino 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

\*Approval of Special Use Permit (SUP-11713) on 04/19/06 allowed a 407-foot high building within the 200-foot height restriction of the North Las Vegas Airport Overlay District.

**Downtown Centennial Plan**

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

**Downtown Overlay District (Central Casino Core)**

The parcel is within the Downtown Overlay District Plan boundary, and is located in the Central Casino Core. The Central Casino Core is home to classic and historic Las Vegas casinos Glitter Gulch. The proposed project is consistent with the goals and objectives of the Downtown Overlay District.

**Airport Overlay District (200 feet)**

The subject property is within the boundaries of the Airport Overlay District, which requires the approval of a Special Use Permit for any structure over 200 feet in height. The applicant is required to notify the FAA regional office and the Clark County Department of Aviation of the application prior to submittal, and may be subject to entering into an aviation easement agreement. The additional height of Tower III at the Golden Nugget is over the 200-foot height limit of the North Las Vegas Airport Overlay but, a Special Use Permit (SUP-11713) was approved for the additional height.

**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. \_\_

**DEVELOPMENT STANDARDS**

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow an existing street to terminate without the required cul-de-sac	A cul-de-sac of sufficient radius for emergency vehicle and other large vehicle access	Approval

**ANALYSIS**

This is a request for a Waiver of Title 18.12.130 public improvement, specifically a cul-de-sac, at the terminus of Carson Avenue. Currently at the intersection of Carson Avenue and First Street both intersections dead end where the Golden Nugget Hotel and Casino Phase III Tower is under construction.

The applicant has requested that both Carson Avenue and First Street remain open to public traffic, both pedestrian and vehicular with the intent to allow public access to the new entrance of the Phase III tower at the Golden Nugget. The applicant states that the public would still be able to access both the Golden Nugget and the Fremont Street Experience using the private streets thereby negating the need for a cul-de-sac.

***Pursuant to Title 18.12.130 Cul-de-sacs***

Cul-de-sacs shall be designed and installed in accordance with City standards. For public streets which terminate other than at an intersection with another public street, the termination shall be provided by means of a circular cul-de-sac of a sufficient diameter to accommodate emergency service vehicles for termination. For private streets or drives which terminate at a length over one hundred fifty feet, there shall be either a circular turn-around or emergency service vehicle access gates.

Staff finds that the proposed dead end street where a cul-de-sac is required is an acceptable termination of Carson Avenue as there are no homes or properties which front on the subject section of street; therefore staff recommends approval of this request.

## **FINDINGS**

The applicant has presented a unique circumstance in that there is an existing Hotel/Casino with an expansion project under construction for a new tower and the applicant would like to leave Carson Avenue and First Street open for the public to have access to the new tower entrance. As such Carson Avenue and First Street already exist and will be improved with development on both perimeters of the roadway, installing the required cul-de-sac would be prohibitive. In view of this hardship imposed by the sites physical characteristic, it is concluded that the applicants hardship is valid, and staff recommends approval.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 17

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 123 by City Clerk

**APPROVALS** 2

**PROTESTS** 0