



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 15, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-33725 EXTENSION OF TIME REZONING

APPLICANT/OWNER: 305 LAS VEGAS, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Rezoning (ZON-20507) shall expire on May 16, 2011 unless another extension of time is approved by the City Council.
2. Conformance to the conditions of approval of the Rezoning (ZON-20507) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is the first request for an Extension of Time of an approved Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street.

It is noted that there are two (2) related Extension of Times (EOT-33724 and EOT-33726) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/23/62	The City Council approved a request for a Rezoning (Z-0039-62) from C-1 (Limited Commercial) to C-2 (General Commercial) on property generally located on the southwest corner of Fourth Street and Charleston Boulevard. The Planning Commission recommended approval on 05/10/62.
06/26/63	The Board of City Commissioners approved a Rezoning (Z-0100-63) from R-1 (Single Family Residential) to C-1 (Limited Commercial) of property generally located on the southwest corner of 3 rd Place and East Charleston Boulevard. The Planning Commission recommended approval on 06/13/63.
08/15/63	The Board of City Commissioners approved a Rezoning (Z-0121-63) from R-1 (Single Family Residential) to R-4 (High Density Residential) of property generally located on the west side of Third Place south of Charleston Boulevard. The Planning Commission recommended approval on 08/08/63.
01/15/64	The Board of City Commissioners approved a request for Rezoning (Z-0163-63) from R-4 (High Density Residential) to C-1 (Limited Commercial) of property generally located on the east side of South 3 rd Street, between Charleston Boulevard and 4 th Place. The Planning Commission recommended approval on 01/09/64.
05/21/69	The Board of City Commissioners approved a request for Rezoning (Z-0024-69) from R-1 (Single Family Residential) to C-1 (Limited Commercial) of property generally located between Third Place and Fourth Street. The Planning Commission recommended approval on 05/08/69.

08/22/73	The Board of City Commissioners denied a request for Rezoning (Z-0065-73) from R-1 Single Family Residential) to P-R (Professional Office) of property generally located at the south end of Third Place, south of East Charleston Boulevard at 1108 South Third Street. The Planning Commission recommended denial on 08/09/73.
05/18/95	The City Council approved a request for Rezoning (Z-0037-94) from R-1 (Single Family Residential) to C-1 (limited Commercial) of property generally located south of east Charleston Boulevard and west of 4 th Street. The Planning Commission recommended approval on 04/28/94.
12/20/95	The City Council approved a request for Rezoning (Z-0093-95) from R-4 (High Density Residential) to C-1 (Limited Commercial) of property generally located on the west side of Third Place, south of Charleston Boulevard. The Planning Commission recommended approval on 11/30/95.
04/03/96	The City Council approved a request for a Special Use Permit (U-0008-96) for a 14-foot by 48-foot Off-Premise Sign (Billboard) at the southwest corner of East Charleston Boulevard and Fourth Street. The Board of Zoning Adjustment recommended denial on 02/2/96.
10/01/03	The City Council approved a request for a Site Development Plan Review (SDR-2784) for a 12,103 square-foot Office Building on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission recommended approval on 08/28/03.
02/16/05	A Code Enforcement case (26073) was processed for a trailer, white/red in rear, vacant with vagrants living in it at 320 East Charleston Boulevard. The case was closed on 02/17/05.
05/16/07	The City Council approved a request for a Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission recommended approval on 04/26/07.
05/16/07	The City Council approved a request for a Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission recommended approval on 04/26/07.
05/16/07	The City Council approved a request for a Special Use Permit (SUP-20519) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission recommended approval on 04/26/07.

05/16/07	The City Council approved a request for a Petition to Vacate (VAC-20522) a 20-foot service alley and access easement generally located east of 3 rd Street commencing approximately 137 feet south of the southeast corner of 3 rd Street and Charleston Boulevard. The Planning Commission recommended approval on 04/26/07.
09/10/07	A Code Enforcement case (57638) was processed for non-permitted signs and flags at 320 and 330 East Charleston Boulevard. The case was closed on 09/24/07.
09/11/08	A Code Enforcement case (69594) was processed for two (2) A frame signs in the parking lot at 320 East Charleston Boulevard, Suite 101. The case was closed on 09/24/08.
11/05/08	The City Council approved a request for a Petition to Vacate (VAC-29235) an alley and a public access easement at 300 and 330 east Charleston Boulevard. The Planning Commission recommended approval on 09/25/08.
<i>Related Building Permits/Business Licenses</i>	
05/07/96	A building permit (96009150) was issued for a 100-foot by 6-foot block wall at 300 E. Charleston Boulevard. The permit was finalized on 05/13/96.
07/09/96	A building permit (96013641) was issued for a billboard sign with electric at 330 E. Charleston Boulevard. The permit was finalized on 09/17/96.
08/20/96	A business license (M01-05281) was issued for a Cleaning Service (Aquariums) at 330 East Charleston, Suite 201. The license is still active.
01/17/97	A building permit (97001330) was issued for an exterior remodel at 300 E. Charleston Boulevard. The permit was finalized on 03/24/98.
04/18/97	A building permit (97997816) was issued for service for a billboard at 330 E. Charleston Boulevard. The permit was finalized on 04/28/97.
12/18/97	A building permit (97025121) was issued for tenant improvements (interior remodel) at 300 E. Charleston Boulevard. The permit was finalized on 03/03/98.
02/26/98	A building permit (98004038) was issued for tenant improvements at 330 E. Charleston Boulevard. The permit was finalized on 03/20/98.
06/25/98	A business license (Q13-00709) was issued for a Law Firm at 320 E. Charleston Boulevard, Suite 202. The license is still active.
07/13/00	A building permit (00013184) was issued for a Non-Work Certificate of Occupancy at 320 E. Charleston Boulevard, Suite 104. The permit was finalized on 07/17/00.
06/25/03	A business license (M21-00682) was issued for a Travel Broker at 320 E. Charleston Boulevard, Suite 205. The license is still active.
09/19/06	A business license (P27-00381) was issued for Registration Service at 330 E. Charleston Boulevard, Suite #201. The license is still active.
11/15/06	A business license (Q13-00972) was issued for a Law Firm at 320 E. Charleston Boulevard, Suite 203. The license is still active.

02/18/07	A business license (A23-01643) was issued for Tax Preparation Service at 300 E. Charleston Boulevard, Suite 211. The license is still active.
03/27/07	A business license (A02-02201) was issued for Advertising/Marketing Service at 300 E. Charleston Boulevard, Suite 212. The license is still active.
12/07/07	A business license (C21-00186) was issued for a Check Cashing Agency at 320 E. Charleston Boulevard, Suite 102. the license is still active.
01/23/08	A business license (M21-01073) was issued for Renewal Magazine Subscription Service at 330 E. Charleston Boulevard, Suite 202. The license is still active.
06/20/08	A business license (C19-00396) was issued for Contract Labor Services at 330 E. Charleston Boulevard, Suite 202. The license is still active.
06/20/08	A business license (E01-00386) was issued for an Employment Agency at 330 E. Charleston Boulevard, Suite 202. The license is still active.
07/18/08	A business license (S07-00504) was issued for Shoe Repair/Sales at 320 E. Charleston Boulevard, Suite 101. The license is still active.
08/20/08	A business license (M01-09750) was issued for a Cleaning Service at 300 E. Charleston Boulevard, Suite 211. The license is still active.
01/09/09	A business license (Q13-00290) was issued for a Law Firm at 320 E. Charleston Boulevard, Suite 201. The license is still active.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, 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	2.66

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices, Retail Establishments, and Parking	C (Commercial)	C-1 (Limited Commercial) and C-2 (General Commercial) with a Resolution of Intent to C-1 (Limited Commercial)
North	Apartments	C (Commercial)	C-2 (General Commercial)
South	Apartments	C (Commercial)	R-4 (High Density Residential)
	Offices	C (Commercial)	C-1 (Limited Commercial)

East	Mini Storage Facility	C (Commercial)	C-2 (General Commercial)
West	Retail Establishments and Restaurant	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
Las Vegas 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 of an approved Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. Title 19.18.040 allows an extension of time or reinstatement of zoning approval as long as the zoning continues to conform to the use and density classification of the General Plan, while remaining consistent with the surrounding area and pattern of development.

FINDINGS

Since the original approval of the Rezoning (ZON-20507), the applicant has not been issued a business license, building permit, submitted plans, or requested approval for a tentative or final map for the proposed project. The applicant is requesting an extension of time to enable them to progress in the project to the point of requesting building permits for the development.

The rezoning conforms to the use and density classification of C (Commercial) of the General Plan and is consistent with the surrounding area and pattern of development; therefore, staff recommends approval with a two-year time limit. Conformance to the conditions of approval of Rezoning (ZON-20507) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0