



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-35796 EXTENSION OF TIME SPECIAL USE PERMIT -

APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-15037) shall expire on September 20, 2011 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Special Use Permit (SUP-15037) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The site has a three-story structure that is currently vacant with a previously approved Special Use Permit (SUP-15037) for a proposed Tavern-Limited Establishment to be located on the first floor of the building at 601 Fremont Street. There have been numerous building permits issued and finalized, along with business licenses for former occupants. The City of Las Vegas Redevelopment Agency is currently negotiating with a preferred tenant or buyer for the building and anticipates the need for the Tavern-Limited use to remain as a focal point for the project; therefore, is requesting an Extension of Time to complete negotiations. Staff recommends approval with a two-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a request for a Rezoning (Z-0100-64) from R-1 (Single Family Residences), 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 recommended approval on 12/10/64.
03/01/06	The City Council approved a request to amend a portion of the Southeast Sector Plan of the Master Plan (GPA-10830) from PF (Public Facilities) to C (Commercial) on 1.23 acres at 601 Fremont Street. The Planning Commission recommended approval on 01/26/06.
03/15/06	The City Council approved a request for a Site Development Plan Review (SDR-11026) for a proposed mixed use development consisting of two 35 story buildings with 25,000 square feet of commercial, 163 hotel/condominium units, and 464 residential units; and waivers of the Downtown Centennial Plan build to line, streetscape, and step back requirements on 1.92 acres at 601 Fremont Street. The Planning Commission recommended approval on 02/09/06.
03/15/06	The City Council approved a request for a Special Use Permit (SUP-11028) for a proposed mixed-use development on 1.23 acres at 601 Fremont Street. The Planning Commission recommended approval on 02/09/06.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/08/06	The Downtown Entertainment Overlay District- Design Review Committee (DEOD-DRC) approved a request for a Master Sign Plan and Exterior Elevation Review (ARC-15449) for a proposed tavern-limited establishment at 601 Fremont Street.
09/20/06	The City Council approved a request for a Special Use Permit (SUP-15037) for a proposed tavern-limited establishment at 601 Fremont Street with an expiration date of 09/20/07. The Planning Commission recommended approval on 08/24/06.
12/07/06	The Planning Commission approved a request for a Tentative Map (TMP-17685) for a one-lot commercial subdivision on 1.24 acres at 601 Fremont Street.
12/21/06	The Planning Commission approved a request for a Tentative Map (TMP-18029) for a mixed-use development on 1.92 acres at 601 Fremont Street.
11/07/07	The City Council approved a request for an Extension of Time (EOT-24712) of a previously approved Special Use Permit (SUP-15037) for a proposed tavern-limited establishment at 601 Fremont Street with an expiration date of 09/20/09.
03/11/08	The Downtown Entertainment Overlay District- Design Review Committee (DEOD-DRC) approved a request for a Master Sign Plan and Exterior Elevation Review (ARC-27073) to allow an 11-6 aerial encroachment for a proposed tavern-limited establishment at 601 Fremont Street.
05/07/08	The City Council approved a request for an Extension of Time (EOT-27347) of a previously approved Special Use Permit (SUP-11028) for a proposed mixed-use development on 1.92 acres at 601 Fremont Street.
05/07/08	The City Council approved a request for an Extension of Time (EOT-27348) of a previously approved Site Development Plan Review (SDR-11026) for a proposed mixed use development consisting of two 35-story buildings with 25,000 square feet of commercial, 163 hotel/condominium units, and 464 residential units; and waivers of the Downtown Centennial Plan build to line, streetscape, and step back requirements on 1.92 acres at 601 Fremont Street. The Extension of Time will expire on 03/15/10.
<i>Related Building Permits/Business Licenses</i>	
10/10/06	A business license (A01-01318) was issued for Administrative Offices at 601 Fremont Street. The license is still active.
There have been numerous building permits issued and finalized for 601 Fremont Street.	
<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	1.92

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Proposed Mixed-Use Development	C (Commercial)	C-2 (General Commercial)
North	Retail Establishments	C (Commercial)	C-2 (General Commercial)
South	Apartments	C (Commercial)	C-2 (General Commercial)
East	Retail Establishments and Hotels	C (Commercial)	C-2 (General Commercial)
West	Hotels, Retail Establishments, and a Restaurant	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
Las Vegas Redevelopment Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Entertainment Overlay District	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 second request for an Extension of Time of a previously approved Special Use Permit (SUP-15037) for a proposed Tavern-Limited Establishment located at 601 Fremont Street. There have been numerous building permits issued and finalized for the construction of the building, but a Certificate of Occupancy has not been issued for the proposed use. There has been changes in development and land use in the surrounding areas that includes a Body Piercing/Tattoo shop and a Tavern-Limited Establishment to the southeast, and a Tavern-Limited Establishment to the northwest of the subject site.

FINDINGS

Title 19.18.060 requirements to exercise the entitlements of the Special Use Permit (SUP-15037) have not been met. The applicant is requesting an extension of time to allow additional time to negotiate the sale of the building or secure a preferred tenant. Staff recommends approval of this request with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-15037) shall be required.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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