



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 6, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-36750 – EXTENSION OF TIME – SPECIAL USE PERMIT
– APPLICANT/OWNER: VALLEY OF THE SUN LAS VEGAS**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-24529) shall expire on November 21, 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-24529) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is undeveloped land with a previously approved Special Use Permit for a Tavern-Limited Establishment. The applicant submitted plans (Plan Check #29493) on 08/15/08 and recently received a 180-day extension to allow departments to continue the review process. No building permits have been issued for the proposed use. There have been new entitlements for properties in the surrounding areas to include a proposed Tavern and Recreation/Amusement Facility to the northwest, and a Tavern and mixed use development to the south. The applicant is requesting an extension of time to secure financing for the proposed project. Staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/23/05	A Code Enforcement case (26325) was processed for a vacant building being full of trash and debris at 760 Fremont Street. Code Enforcement closed the case on 03/17/05.
05/05/05	A Code Enforcement case (29613) was processed for trash and debris inside the building with vagrant living on the property at 760 Fremont Street. Code Enforcement closed the case on 05/09/05.
05/17/06	The City Council approved a request for a Special Use Permit (SUP-12100) for a proposed mixed use development on 0.85 acres at 760 and 800 Fremont Street. The Planning Commission recommended approval on 04/13/06.
	The City Council approved a related request for a Site Development Plan Review (SDR-12093) for a proposed 20-story mixed use development containing 76 residential units and 7,370 square feet of commercial area; and a 55-story mixed use development containing 157 residential units, 372 hotel/residential units and 55,000 square feet of commercial area with waivers of the Downtown Centennial Plan stepback and streetscape requirements.
08/03/06	A Code Enforcement case (45134) was processed for a vacant lot having a lot of trash and debris at 760 Fremont Street. Code Enforcement closed the case on 07/28/08.
11/21/07	The City Council approved a request for a Special Use Permit (SUP-24529) for a Tavern-Limited establishment at 760 Fremont Street. The Planning Commission recommended approval on 10/25/07.
	The City Council approved related request for a Site Development Plan Review (SDR-24527) for a 43,000 square-foot Tavern with night Club and banquet Facility.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/21/08	The Planning and Development Department and Department of Public Works approved a request for a Final Map Technical Review (FMP-27568) for 8 th and Fremont. The map has not yet been recorded.
06/13/08	A Code Enforcement case (66625) was processed for carpeting being stored to the rear of the building. Code Enforcement closed the case on 07/01/08.
08/15/08	Plan Check #29493 was processed for review for the proposed development. The plans are still being reviewed with a 180-day extension.
10/14/08	The Downtown Entertainment Overlay District- Design Review Committee (DEOD-DRC) approved a request for a Master Sign Plan (ARC-29745) for a proposed entertainment venue at 760 Fremont Street.
<i>Related Building Permits/Business Licenses</i>	
06/16/08	A building permit (11784) was issued for the demolition of a two-story building at 760 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	0.70

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land-proposed Tavern	C (Commercial)	C-2 (General Commercial)
North	Motels	C (Commercial)	C-2 (General Commercial)
South	Retail Establishments	C (Commercial)	C-2 (General Commercial)
East	Motel and Used Auto Sales	C (Commercial)	C-2 (General Commercial)
West	Motel	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/Area	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 first request for an Extension of Time of a previously approved Special Use Permit (SUP-24529) for a Tavern-Limited establishment at 760 Fremont Street. The applicant has submitted plans (Plan Check #29493) that are being reviewed by various departments. No building permits have been issued for the intended use.

Title 19.18.060 deems a Special Use Permit exercised upon the approval of a business license, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection.

FINDINGS

The Special Use Permit (SUP-24529) has not met the requirements outlined in Title 19.18.060 to exercise the entitlement. There have been new entitlements for properties in the surrounding areas to include a proposed Tavern and Recreation/Amusement Facility to the northwest, and a Tavern and mixed use development to the south. The applicant is requesting an extension of time to secure financing for the project. Staff recommends approval of this request with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-24529) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0