



AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 20, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-36815 – EXTENSION OF TIME – SPECIAL USE PERMIT -

APPLICANT/OWNER: SOLTERRA HOLDINGS NEVADA LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-25267) shall expire on January 9, 2012 unless another extension of time is approved by the City Council.
2. Conformance to the conditions of approval of the Special Use Permit (SUP-25267) 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 currently undeveloped land with a previously approved Special Use Permit (SUP-25267) for a proposed 550-foot tall building with the A-O (Airport Overlay) District where the height limitation is 200 feet for a mixed-use project. The applicant was issued a building permit (92409) on 06/22/07 for the demolition of all existing structures on the site, which was completed on 10/17/08, but no plans have been submitted for review nor have any building permits been issued for the proposed project. New entitlements have been approved for a mixed-use project to the south of the subject site. The applicant is requesting a two year extension of time as the project has not yet progressed to a stage to apply for building permits. Staff is recommending approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/04	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) 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.
01/09/08	The City Council approved a request for a Rezoning (ZON-25069) from C-M (Commercial/Industrial) to C-2 (General Commercial) on 1.28 acres adjacent to the east side of 1 st Street between Hoover Avenue and Gass Avenue. The Planning Commission recommended approval on 11/29/07.
	The City Council approved a related request for a Special Use Permit (SUP-25070) for a proposed mixed-use development.
	The City Council approved a related request for a Site Development Plan Review (SDR-25072) for a proposed 14-story mixed-use development including 5,000 square feet of commercial space and 130 residential condominium units.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/09/08	The City Council approved a request for a Special Use Permit (SUP-25267) for a proposed 550-foot tall building within the A-O (Airport Overlay) District where the height limitation is 200 feet on the southeast corner of 1 st Street and Gass Avenue. The Planning Commission recommended approval on 12/06/07.
	The City Council approved a related request for a Special Use Permit (SUP-25268) for a proposed mixed-use development.
	The City Council approved a related request for a Site Development Plan Review (SDR-25265) for a proposed 50-story mixed-use development including 15,000 square feet of commercial space and 700 residential condominium units.
09/26/08	A Code Enforcement case (70125) was processed for trash and debris both inside and outside a fenced area at 101 Gass Avenue. Code Enforcement closed the case on 11/19/08.
<i>Related Building Permits/Business Licenses</i>	
06/22/07	A building permit (92409) was issued for the demolition of all buildings on site at 101 Gass Avenue. The permit was finalized on 10/17/08.
No business license have been issued for the proposed use.	
<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	0.72

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land-Proposed Mixed Use Development	MXU (Mixed-Use)	C-2 (General Commercial)
North	Offices	MXU (Mixed-Use)	C-M (Commercial/Industrial)
South	Warehouses	MXU (Mixed-Use)	C-M (Commercial/Industrial)
East	Offices and Apartments	MXU (Mixed-Use)	C-2 (General Commercial)
West	Retail Establishments, Restaurant, and Offices	MXU (Mixed-Use)	C-M (Commercial/Industrial)

<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			
A-O (Airport Overlay) District	X		N*
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

*City Council approved a Special Use Permit (SUP-25267) that allowed the height of the building to be 550 feet tall.

ANALYSIS

This is the first request for an extension of time of a previously approved Special Use Permit (SUP-25267) for a 550-foot tall building with the A-O (Airport Overlay) District where the height limitation is 200 feet for a mixed-use project located along 1st Street between Gass Avenue and Hoover Avenue. No plans have been submitted for review nor have any building permits been issued for the proposed project.

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-25267) has not met the requirements outlined in Title 19.18.060 to exercise the entitlement. New entitlements have been approved for a mixed-use project to the south of the subject site. The applicant is requesting an extension of time as the project has not yet progressed to a stage to apply for building permits. Staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-25267) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

<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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