



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-37201 – APPLICANT: WALL STREET NEVADA LLC -

OWNER: WALL STREET NEVADA HS, LLC ET AL

**** CONDITIONS ****

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Special Use Permit (SUP-8895) shall expire on January 18, 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-8895) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

EOT-37201 - Staff Report Page One
March 3, 2010 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently vacant land with a previously approved Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay Zone where the height of structures is limited to 200 feet. The applicant has not made any progress on the proposed project in the form of building permits or by submitting plans for review. There have been new entitlements for properties in the surrounding areas that include an approved Beer/Wine/Cooler On-Sale Establishment to the north and a multi-phased mixed-use development to the south and west. The applicant is requesting an Extension of Time as a delay in finalizing plans occurred awaiting the outcome of whether an arena project or Project Neon would be pursued. Staff recommends approval of this request.

It is noted that there are three (3) related Extension of Times (EOT-37202, EOT-37203, and EOT-37204) that will be heard concurrently with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/18/06	The City Council approved a request to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industry/Research) to GC (General Commercial) on 7.84 acres adjacent to the southeast corner of Wall Street and Western Avenue. The Planning Commission recommended denial on 12/01/05.
	The City Council approved a related request for Rezoning (ZON-8893) from M (Industrial) to C-2 (General Commercial). The Planning Commission recommended approval.
	The City Council approved a related request for a Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay Zone.
	The City Council approved a related request for a Special Use Permit (SUP-8897) for a proposed mixed-use development.
	The City Council approved a related request for a Petition to Vacate (VAC-8898) Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street.
	The City Council approved a related request for a Site Development Plan Review (SDR-8894) for a proposed 950-foot, 73-story mixed use development containing 182,000 square feet of commercial space and 3,020 residential units with a waiver to allow a 70 percent lot coverage where 50 percent lot coverage is the maximum allowed.

EOT-37201 - Staff Report Page Two
March 3, 2010 - City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/17/06	The City Council approved a request to change the Future Land Use Designation (GPA-9219) to Commercial, Mixed Use, Industrial, or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan are and within the proposed Redevelopment Plan expansion area. The Planning Commission recommended approval on 04/13/06.
02/06/07	The Planning and Development Department approved a request for an Administrative Extension of Time (EOT-19295) of a previously approved Petition to Vacate (VAC-8898) Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street.
03/05/08	The City Council approved a request for an Extension of Time (EOT-26479) of a previously approved Rezoning (ZON-8893) from M (Industrial) to C-2 (General Commercial).
	The City Council approved a related request for an Extension of Time (EOT-26482) of a previously approved Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay Zone.
	The City Council approved a related request for an Extension of Time (EOT-26483) of a previously approved Special Use Permit (SUP-8897) for a proposed mixed-use development.
	The City Council approved a related request for an Extension of Time (EOT-26481) of a previously approved Site Development Plan Review (SDR-8894) for a proposed 950-foot, 73-story mixed use development containing 182,000 square feet of commercial space and 3,020 residential units with a waiver to allow a 70 percent lot coverage where 50 percent lot coverage is the maximum allowed.
06/25/08	A Code Enforcement case (67047) was processed for a homeless camp set up at the rear of the property at 1200 Western Avenue. Code Enforcement closed the case on 07/28/08.
10/20/08	A Code Enforcement case (70763) was processed for graffiti on a sign at 310 Wall Street. Code Enforcement closed the case on 10/27/08.
01/16/09	The Planning and Development Department approved a request for an Administrative Extension of Time (EOT-26458) of a previously approved Petition to Vacate (VAC-8898) Wall Street east of Western Avenue and a portion of the alley located east of Western Avenue and north of Wall Street.
03/20/09	A Code Enforcement case (75883) was processed for tall weeds on property located at 319 Wall Street. Code Enforcement closed the case on 04/07/09.
12/02/09	A Code Enforcement case (84466) was processed for graffiti on a wall at 300 Wall Street. Code Enforcement closed the case on 12/22/09.
<i>Related Building Permits/Business Licenses</i>	
10/21/03	A business license (C11-06761) was issued for a contractor at 316 Wall Street. The license is still active.

There have been no building permits issued for the proposed project.

EOT-37201 - Staff Report Page Three
March 3, 2010 - City Council Meeting

<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 7.84

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Land-proposed Mixed Use Development	MXU (Mixed Use)	M (Industrial) with a Resolution of Intent to C-2 (General Commercial)
North	Retail Establishments	MXU (Mixed Use)	M (Industrial)
South	Retail Establishments	MXU (Mixed Use)	M (Industrial)
East	Storage Facilities	LI/R (Light Industry/Research)	M (Industrial)
West	I-15 Highway	ROW (Right-of-Way)	ROW (Right-of-Way)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
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 (200 feet)	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

EOT-37201 - Staff Report Page Four
March 3, 2010 - City Council Meeting

ANALYSIS

This is the second request for an Extension of Time of a previously approved Special Use Permit (SUP-8895) for a 950-foot tall building in the Airport Overlay Zone. The applicant has not made any progress on the proposed project in the form of building permits or by submitting plans for review. There have been new entitlements for properties in the surrounding areas including approval for a Beer/Wine/Cooler On-Sale Establishment to the north and a multi-phased mixed-use development to the south and west. Additionally, there have been four Code Enforcement cases processed and closed for the subject site that includes graffiti on signs and walls, tall weeds, and a homeless camp setup at the rear of one of the parcels.

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-8895) has not met the requirements to be exercised as outlined in Title 19.18.060, as no permits have been issued for the proposed project. Though new entitlements have been approved for properties in the surrounding area, staff finds that the proposed project will not negatively affect the new developments and changes in land use. The applicant is requesting an Extension of Time as a delay in finalizing plans occurred while awaiting the outcome of whether an arena project or Project Neon would be pursued. Staff recommends approval with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-8895) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0