



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 3, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-37220 – EXTENSION OF TIME – SPECIAL USE PERMIT -

APPLICANT/OWNER: GARCES VENTURE, LLC

**** CONDITIONS ****

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. This Special Use Permit (SUP-9159) 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-9159) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site has existing structures being used for several different types of businesses including retail establishments, offices, personal services, secondhand dealers, and a wedding chapel, in addition to a previous approval for a Special Use Permit (SUP-9159) for a mixed use development. Since the approval of the Special Use Permit (SUP-9159) and prior Extension of Time (EOT-26485), the applicant has not made any progress on the proposed mixed-use development, but did allow new businesses to open that included a wedding chapel with photography services, Cosmetology Establishment with the sale of beauty supplies and cosmetics, and a Smoke Shop.

A change in land use was approved in the surrounding area that entitled a Package Liquor Establishment to the east of the subject site. The applicant is requesting an Extension of Time due to current market and economic conditions creating delays in project financing and development. Staff recommends approval.

It is noted that there is one (1) related Extension of Time (EOT-37221) 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 for a Special Use Permit (SUP-9159) for a proposed mixed-use development on 1.10 acres located at the northwest corner of Las Vegas Boulevard and Garces Avenue. The Planning Commission recommended approval on 12/15/05.
	The City Council approved related request for a Site Development Plan Review (SDR-9153) for a proposed 55-story, 833 square-foot mixed use development consisting of 349 residential units and 6,000 square feet of commercial space with waivers of the Downtown Centennial Plan Stepback requirements, streetscape requirements, and build-to-line requirements.
03/05/08	The City Council approved a request for an Extension of Time (EOT-26485) of a previously approved Special Use Permit (SUP-9159) for a proposed mixed use development located at the northwest corner of Las Vegas Boulevard and Garces Avenue.
	The City Council approved a related request for an Extension of Time (EOT-26486) of a previously approved Site development Plan Review (SDR-9153) for a proposed 55-story, 833 square-foot mixed use development consisting of 349 residential units and 6,000 square feet of commercial space with waivers of the Downtown Centennial Plan Stepback requirements, streetscape requirements, and build-to-line requirements.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/08/08	A Code Enforcement case (70531) was processed for illegal signs being posted around the downtown area pertaining to the subject site. Code Enforcement closed the case on 11/17/08.
<i>Related Building Permits/Business Licenses</i>	
03/25/98	A business license (B01-01080) was issued for a Bail bond Broker at 618 S. Las Vegas Boulevard. The license is still active.
06/12/01	A business license (S25-00023) was issued for a Secondhand Dealer at 616 S. Las Vegas Boulevard. The license is still active.
10/05/06	A business license (F03-00047) was issued for a Pistol Permit at 626 S. Las Vegas Boulevard. The license is still active.
10/05/06	A business license (H02-01401) was issued for Handbill and Oral Solicitation at 626 S. Las Vegas Boulevard. The license is still active.
10/05/06	A business license (S25-00027) was issued for Jewelry Sales and Repair at 626 S. Las Vegas Boulevard. The license is still active.
03/26/08	A business license (R01-00885) was issued for a Gunsmith Shop at 626 S. Las Vegas Boulevard. The license is still active.
08/04/08	A business license (B05-03104) was issued for a Cosmetology Establishment at 616 S. Las Vegas Boulevard. The license is still active.
08/04/08	A business license (B08-01292) was issued for Beauty and Cosmetic Sales at 616 S. Las Vegas Boulevard. The license is still active.
12/26/08	A business license (A23-02021) was issued for Tax Preparation Services at 616 S. Las Vegas Boulevard. The license is still active.
07/30/09	A business license (C05-02556) was issued for a Tobacco Dealer at 624 S. Las Vegas Boulevard. The license is still active.
07/30/09	A business license (C16-00122) was issued for a Cigar Lounge at 624 S. Las Vegas Boulevard. The license is still active.
07/30/09	A business license (S15-00062) was issued for a Smoke Shop at 624 S. Las Vegas Boulevard. The license is still active.
09/08/09	A request for a building permit (146989) was processed for an electric cabinet sign at 624 S. Las Vegas Boulevard. The Planning and Development Department denied the request as the applicant will need to schedule a pre-application conference for DRC as the sign does not have any neon or animation.
10/19/09	A request for a building permit (149736) was processed for a non-work Certificate of Occupancy at 630 S. Las Vegas Boulevard. The Building Department denied the request as it is a change in use and therefore plans are required.
10/20/09	A business license (H02-01544) was issued for a Handbill license at 620 S. Las Vegas Boulevard. The license is still active.

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<i>Related Building Permits/Business Licenses</i>	
11/10/09	A business license (M06-02935) was issued for the Sales and Rentals at 630 S. Las Vegas Boulevard. The license is still active.
11/10/09	A business license (P06-00931) was issued for Photography at 630 S. Las Vegas Boulevard. The license is still active.
11/10/09	A business license (W01-00111) was issued for a Wedding Chapel at 630 S. Las Vegas Boulevard. The license is still active.
11/16/09	A business license (Q01-00821) was issued for a Real Estate Brokerage Firm at 626 S. Las Vegas Boulevard. The license is still active.
12/02/09	A business license (S15-00082) was issued for a Smoke Shop at 628 S. Las Vegas Boulevard. The license is still active.
No building permits or business licenses have been issued for the proposed project.	
<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	1.10

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Retail Establishments, Offices, Personal Services, Secondhand Dealer, and Wedding Chapel	C (Commercial)	C-2 (General Commercial)
North	Offices	PF (Public Facilities)	C-2 (General Commercial)
South	Offices and a Parking Lot	PF (Public Facilities)	C-2 (General Commercial)
East	Retail Establishments and a Chapel	C (Commercial)	C-2 (General Commercial)
West	Offices	C (Commercial)	C-1 (Limited Commercial) with a Resolution of Intent to C-2 (General Commercial)

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<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
Special Purpose and Overlay Districts			
Live/Work Overlay District	X		Y
Las Vegas Boulevard Scenic Byway 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-9159) for a mixed-use development located on the northwest corner of Las Vegas Boulevard and Garces Avenue. The subject site has existing structures used for several different types of businesses including retail establishments, offices, personal services, a secondhand dealer, and wedding chapel. The applicant has not made any progress on the project in the form of submitting plans for review or the issuance of building permits.

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-9159) has not met the requirements to be exercised as outlined in Title 19.18.060. There has been a new entitlement approved for a Package Liquor Establishment located to the east of the subject site. The applicant is requesting an Extension of Time due to current market and economic conditions creating delays in project financing and development. Staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-9159) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

DS
