



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: BARNET LIBERMAN - OWNER: 305 LAS VEGAS, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-41596	Staff recommends APPROVAL, subject to conditions:	None
EOT-41597	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-41596 CONDITIONS

Planning

1. This Special Use Permit (SUP-20519) shall expire on May 16, 2013 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Special Use Permit (SUP-20519) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-41597 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-20502) shall expire on May 16, 2013 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Site Development Plan Review (SDR-20502) and all other site related actions as required by the Department of Planning and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently occupied by offices, retail establishments, a church and a parking lot. A Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) were previously approved for the property for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard and Fourth Street. No plans have been submitted for review nor have any building permits been issued for the proposed development. On August 9, 2011, the Planning Commission is scheduled to hear requests for Major Amendments (SDR-41600 and SUP-42182) to increase the total square footage of commercial space, increase the number of residential units, and add a parking structure to the proposed development.

The applicant is requesting an Extension of Time as they are not at a stage in the project to request building permits, pending a decision on the new entitlements. There have been changes in land use and development in the surrounding area that includes mixed-use projects located to the west and southwest of the subject site. The approved Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) will not negatively affect the new development; therefore, staff is recommending approval of these requests.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/01/03	The City Council approved a request for a Site Development Plan Review (SDR-2784) for a 12,103 square-foot office building on a portion of 2.18 acres adjacent to the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
05/16/07	The City Council approved a request for Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. The Planning Commission and staff recommended approval.
	The City Council approved a related request for a Special Use Permit (SUP-20519) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
	The City Council approved a related request for a Petition to Vacate (VAC-20522) a 20-foot service alley and access easement generally located east of 3 rd Street commencing approximately 137 feet south of the southeast corner of 3 rd Street and Charleston Boulevard.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
	The City Council approved a related request for a Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
11/05/08	The City Council approved a request for a Petition to Vacate (VAC-29235) an alley and a public access easement at 300 and 330 East Charleston Boulevard. The Planning Commission and staff recommended approval.
04/15/09	The City Council approved a request for an Extension of Time (EOT-33725) of a previously approved Rezoning (ZON-20507) from P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-2 (General Commercial) to C-1 (Limited Commercial) on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street. Staff recommended approval.
	The City Council approved a related request for an Extension of Time (EOT-33724) of a previously approved Special Use Permit (SUP-20519) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
	The City Council approved a related request for an Extension of Time (EOT-33726) of a previously approved Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units.
05/28/09	The Planning and Development Department approved a request for a Minor Amendment (SDR-34113) to a previously approved Site Development Plan Review (SDR-20502) that allowed a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units on 2.67 acres at the southwest corner of Charleston Boulevard and Fourth Street.
12/11/09	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-36621) of a previously approved Petition to Vacate (VAC-29235) which vacated an alley and a public access easement at 300 and 330 East Charleston Boulevard.
12/01/10	The Planning and Development Department administratively approved a request for an Extension of Time (EOT-40171) of a previously approved Petition to Vacate (VAC-29235) which vacated an alley and a public access easement at 300 and 330 East Charleston Boulevard.
08/09/11	The Planning Commission is scheduled to hear requests for Major Amendments (SDR-41600 and SUP-42182) to previously approved Site Development Plan Review (SDR-20502) and Special Use Permit (SUP-20519) to increase the total square footage of commercial space, increase the number of residential units and add a parking structure to the proposed development located at the southwest corner of Charleston Boulevard and Fourth Street.

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<i>Most Recent Change of Ownership</i>	
05/02/07	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/20/96	A business license (M01-05281) was issued for an Aquarium Cleaner at 330 East Charleston Boulevard, Suite 201. The license is still active.
11/15/06	A business license (Q13-00972) was issued for a Law Firm at 320 East Charleston Boulevard, Suite 203. The license is still active.
08/15/07	A business license (Q13-00786) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 204. The license is still active.
11/24/08	A business license (Q19-00121) was issued for an Investigative Firm at 300 East Charleston Boulevard, Suite 105. The license is still active.
07/08/09	A business license (Q13-01228) was issued for a Law Firm at 320 East Charleston Boulevard, Suite 105. The license is still active.
10/06/09	A business license (Q13-00290) was issued for a Law Firm at 300 East Charleston Boulevard, Suite 105. The license is still active.
11/19/09	A business license (Q01-00931) was issued for a Real Estate Broker at 330 East Charleston Boulevard, Suite 204. The license is still active.
03/12/10	A business license (M18-04979) was issued for an Event Promoter at 320 East Charleston Boulevard, Suite 104. The license is still active.
03/16/10	A business license (R23-00416) was issued for a Recreational Instructor at 320 East Charleston Boulevard, Suite 103. The license is still active.
03/25/10	A business license (Q13-01303) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 204. The license is still active.
04/26/10	A business license (Q13-01225) was issued for a Law Firm at 330 East Charleston Boulevard. The license is still active.
04/28/11	A business license (Q13-92067) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 100. The license is still active.
05/03/11	A business license (Q13-01401) was issued for a Law Firm at 300 East Charleston Boulevard, Suite 105. The license is still active.
06/06/11	A business license (Q13-01405) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 100. The license is still active.
06/07/11	A business license (Q13-01406) was issued for a Law Firm at 330 East Charleston Boulevard, Suite 100. The license is still active.
There have not been any plans submitted for review or building permits issued for the proposed project.	

<i>Pre-Application Meeting</i>
A pre-application meeting was not required, nor was one held.

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<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

<i>Details of Application Request</i>
<i>Site Area</i>
Gross Acres 2.67

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Offices, Parking Lot, Retail Establishments, Church	C (Commercial)	C-1 (Limited Commercial)
North	Convenience Store, Multi-Family Residences	C (Commercial)	C-2 (General Commercial)
South	Offices, Apartments	C (Commercial) and MXU (mixed-Use)	C-1 (Limited Commercial)
East	Convenience Store and Mini-Storage Facility	C (Commercial)	C-2 (General Commercial)
West	Retail Establishment, Restaurant	C (Commercial)	C-2 (General Commercial)
	Offices	MXU (Mixed-Use)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown Centennial Plan (18B Las Vegas Arts District)	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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ANALYSIS

This is the second request for an Extension of Time of a previously approved Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) for a 12-story mixed-use development including 58,000 square feet of commercial space and 1,100 residential condominium units at the southwest corner of Charleston Boulevard and Fourth Street. No plans have been submitted for review nor have any building permits been issued for the proposed development. On August 9, 2011, the Planning Commission is scheduled to hear requests for Major Amendments (SDR-41600 and SUP-42182) to increase the total square footage of commercial space, increase the number of residential units, and add a parking structure to the proposed development.

Title 19.16.110 and 19.16.100 of the Unified Development Code deem a Special Use Permit and Site Development Plan Review exercised upon the issuance of a building permit.

FINDINGS

The Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) have not met the requirements outlined in Title 19.16 to exercise the entitlements as no building permits have yet to be issued for the proposed project. The applicant is requesting an Extension of Time as they are not at a stage in the project to request building permits, pending a decision on the new entitlements. There have been changes in land use and development in the surrounding area that includes mixed-use projects located to the west and southwest of the subject site. The approved Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) will not negatively affect the new development; therefore, staff is recommending approval of these requests with a two-year time limit. Conformance to the conditions of approval of the Special Use Permit (SUP-20519) and Site Development Plan Review (SDR-20502) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0