



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: SEPTEMBER 7, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: GEORGE RAINHART - OWNER: FNBN ASPEN, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-42602 EOT-42603 EOT-42605 EOT-42606	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

EOT-42602 CONDITIONS

Planning

- 1.This Special Use Permit (SUP-34309) shall expire on August 5, 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-34309) and all other site related actions as required by the department of Planning and Department of Public Works.

EOT-42603 CONDITIONS

Planning

- 1.This Waiver (WVR-34311) shall expire on August 5, 2013 unless another Extension of Time is approved by the City Council.
- 2.Conformance to the conditions of approval of the Waiver (WVR-34311) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42605 CONDITIONS

Planning

1. This Variance (VAR-34308) shall expire on August 5, 2013 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of the Variance (VAR-34308) and all other site related actions as required by the Department of Planning and Department of Public Works.

EOT-42606 CONDITIONS

Planning

1. This Site Development Plan Review (SDR-34306) shall expire on August 5, 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-34306) and all other site related actions as required by the Department of Planning and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site is currently occupied by a vacant building and parking garage located at the northeast corner of Sahara Avenue and South Las Vegas Boulevard. The applicant received previous approval for a Site Development Plan Review (SDR-34306) for Non-Restricted Gaming (Casino) and a retail establishment with waivers of the Downtown Centennial Plan Streetscape requirements, a Special Use Permit (SUP-34309) for a Liquor Establishment (Tavern) with a waiver to allow reduced separation from a similar use, a Waiver (WVR-34311) of Title 18.12.130 to allow Cincinnati Street not to terminate in a cul-de-sac east of Las Vegas Boulevard, and a Variance (VAR-34308) to allow a roof sign to exceed the maximum height and area and the combined area of wall and roof signs on the south, east and west elevations to exceed standards.

No plans have been submitted for review, nor have any building permits been issued. Additionally, there are no active business licenses issued for the subject site. The applicant is requesting Extensions of Time of the above entitlements as the current economic climate has delayed financing, though they are anticipating the demolition of the existing structures by Fall 2011. As the surrounding area has not experienced any significant change in land use or development, staff is recommending approval of this request with a two-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/05/09	The City Council approved a request for a Waiver of Title 18.12.130 (WVR-34311) to allow Cincinnati Street to not terminate in a cul-de-sac east of Las Vegas Boulevard. The Planning Commission and staff recommended approval.
	The City Council approved a related request for a Variance (VAR-34308) to allow a 98-foot tall, 11,210 square-foot roof sign where a maximum of eight feet in height and 150 square feet in area is permitted, and to allow the combined area of wall and roof signage to be 79 percent, 23 percent, and 101 percent of the south, east, and west elevations respectively, where a maximum of 20 percent per elevation is permitted. Staff recommended denial.
	The City Council approved a related request for a Special Use Permit (SUP-34309) for a Liquor Establishment (Tavern) with a waiver to allow a 100-foot distance separation from a similar use where 1,500 feet is required.

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Related Relevant City Actions by P&D, Fire, Bldg., etc	
08/05/09	The City Council approved a related request for a Site Development Plan Review (SDR-34306) for a proposed two-story, 37,100 square-foot Non-Restricted Gaming (Casino) and Retail establishment with a waiver of the Downtown Centennial Plan Streetscape standards on Cincinnati Street.
06/04/10	The Department of Planning administratively approved a request for a Minor Amendment (SDR-38274) to a previously approved Site Development Plan Review (SDR-34306) for façade modifications and a construction phasing plan at the northeast corner of Sahara Avenue and Las Vegas Boulevard. Staff recommended approval.
03/17/11	A Code Enforcement case (99237) was processed for weeds, trash, and glass on property at 2423 South Las Vegas Boulevard. The case is still open.

Most Recent Change of Ownership	
10/15/10	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
There have not been any plans submitted for review, nor have there been any building permits issued for the proposed project.	
There are no active business licenses issued for the subject sites.	

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

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	2.17

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Vacant Building and Parking Garage	C (Commercial)	C-2 (General Commercial)

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North	Retail Establishment, Motel	C (Commercial)	C-2 (General Commercial)
South	Clark County	Clark County	Clark County
East	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
West	Retail Establishments, Tavern	C (Commercial)	C-2 (General Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Beverly Green / Southridge Neighborhood	X		Y
Downtown Centennial Plan (Northern Strip Gateway)	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District	X		Y
A-O (Airport Overlay) District (175 feet)	X		Y
Las Vegas Boulevard Scenic Byway 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

ANALYSIS

This is the first request for Extension of Time of previous entitlements that includes a Site Development Plan Review (SDR-34306) for a proposed two-story, 37,100 square-foot Non-Restricted Gaming (Casino) and Retail Establishment with waivers of the Downtown Centennial Plan streetscape standards on Cincinnati Street; a Special Use Permit (SUP-34309) for a Liquor Establishment (Tavern) with a waiver to allow a 100-foot distance separation from a similar use when 1,500 feet is required; a Waiver of Title 18.12.130 requirements to allow Cincinnati Street

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not to terminate in a cul-de-sac on the east side of Las Vegas Boulevard; and a Variance (VAR-34308) to allow a 98-foot tall, 11,210 square-foot roof sign where a maximum of eight feet in height and 150 square feet in area is permitted, and to allow the combined area of wall and roof signage to be 79 percent, 23 percent, and 101 percent of the south, east, and west elevations respectively, where a maximum of 20 percent per elevation is permitted. No plans have been submitted for review, nor have any building permits been issued. Additionally, there are no active business licenses issued for the subject site. There have not been any significant changes in land use or new development in the surrounding areas. There is an open Code Enforcement case (99237) that was processed on 03/17/11 for weeds, trash, and broken glass on property.

Title 19.16 of the Unified Development Code deems a Site Development Plan Review, Special Use Permit, Waiver, and Variance exercised upon the issuance of a building permit for new construction.

FINDINGS

The Site Development Plan Review (SDR-34306), Special Use Permit (SUP-34309), Waiver (WVR-34311), and Variance (VAR-34308) have not been exercised in accordance with the requirements of Title 19.16 as no building permits have been issued. The applicant is requesting Extensions of Time of the above entitlements as the current economic climate has delayed financing, though they are anticipating the demolition of the existing structures by Fall 2011. As the surrounding area has not experienced any significant change in land use or development, staff is recommending approval of this request with a two-year time limit. Conformance to the conditions of approval of the Site Development Plan Review (SDR-34306), Special Use Permit (SUP-34309), Waiver (WVR-34311), and Variance (VAR-34308) shall be required.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0