



## **AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 1, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-14476 - APPLICANT: LIED ANIMAL FOUNDATION -**  
**OWNER: CITY OF LAS VEGAS**

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### **\*\* CONDITIONS \*\***

The Planning Commission (5-1/sd vote) and staff recommend DENIAL.

#### **Planning and Development**

1. Conformance to all conditions of approval of Site Development Plan Review (SDR-6883).
2. All City Code requirements and design standards of all City departments must be satisfied.
3. The Site Development Plan Review shall be reviewed in six (6) months at which time the City Council may require the modular buildings to be removed.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a Required One Year Review of an approved Site Development Plan Review (SDR-6883) which allowed temporary structures for an animal shelter on 8.39 acres at the southwest corner of Mojave Road and Harris Avenue.

**EXECUTIVE SUMMARY**

This is the first review for Site Development Plan Review (SDR-6883), which allowed temporary structures to an existing animal shelter on the 08/17/05 City Council meeting. The applicant has not complied with condition number one (1) from the Site Development Plan Review. The condition required the following:

Temporary structure removal shall be required according to the following schedule:

- Structure Number three located on Manning Street shall be removed by September 1, 2005.
- Structure Number two located on the corner of Harris Street and Manning Street shall be removed by October 1, 2005.
- The smallest structure on Harris Street shall be removed by July 1, 2006.

Structure number three has been removed, while structure two and the smallest structure have not been removed. Therefore, staff is recommending denial of the subject review. A condition has been included, which requires an additional review in six-months.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 01/07/04      The City Council approved a Site Development Plan Review (SDR-3275) for an animal shelter and veterinary complex. The Planning Commission and staff recommended approval on 12/04/03.
- 08/17/05      The City Council approved a Site Development Plan Review (SDR-6883) for temporary structures for an animal shelter on 8.39 acres adjacent to the southwest corner of Mojave Road and Harris Avenue. The Planning Commission and staff recommended approval on 07/14/05.

10/05/06 The Planning Commission voted 5-1/sd to recommend DENIAL (PC Agenda Item #19/bts).

**B) *Pre-Application Meeting***

A pre-application meeting is not required for this application.

**C) *Neighborhood Meetings***

A neighborhood meeting is not required for this application, nor was one held.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Net Acres: 8.39

**B) *Existing Land Use***

Subject Property: Animal Shelter

North: Office Building

South: Fire Department Training Station

East: City of Las Vegas Maintenance and Storage Yards

West: Apartments

**C) *Planned Land Use***

Subject Property: PF (Public Facilities)

North: PF (Public Facilities)

South: SC (Service Commercial)

East: PF (Public Facilities)

West: M (Medium Density Residential)

**D) *Existing Zoning***

Subject Property: C-V (Civic)

North: C-V (Civic)

South: C-V (Civic) and C-V (Civic) under Resolution of Intent to C-1 (Limited Commercial)

East: C-V (Civic)

West: R-3 (Medium Density Residential)

**E) *General Plan Compliance***

The subject property is designated PF (Public Facilities) on the Southeast Sector Map of the General Plan. The subject site is currently zoned C-V (Civic), which conforms to the PF (Public Facilities) General Plan designation.

<i><b>SPECIAL DISTRICTS/ZONES</b></i>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		<b>X</b>
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Study Area</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

No special districts, zones, or studies are related to this Site Development Plan Review request.

## **ANALYSIS**

### ***A) General Analysis and Discussion***

The Site Development Plan Review (SDR-6883) was approved by the City Council on 08/17/05. A condition of approval required a one-year review at City Council. Also, a condition of approval was imposed, which required the removal of individual temporary building and the time at which the modular buildings were to be removed. The applicant has removed one of the three structures. Structure number two located on the corner of Harris Street and Manning Street was required to be removed by October 2005 and the smallest structure on Harris Street was to be removed by July 1, 2006. Since these structures have not been removed staff cannot support the required review.

### ***B) Conditions of approval from Site Development Plan Review (SDR-6883)***

#### **Planning and Development**

1. This Site Development Plan Review shall be subject to a one year review.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 05/27/05, except as amended by conditions herein.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

**Public Works**

14. All temporary improvements associated with this site shall be removed at the time of termination of the temporary use.
15. All landscaping and signage installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.

## **FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The continued use of the modular buildings at this site is not appropriate. The modular buildings are intended to be temporary. The continuation of this use is incompatible with adjacent development.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

The continued use of the modular buildings is not consistent with Title 19. The intent of a temporary structure is for short term use. The temporary structures have exceeded the allowable time conditioned by City Council. This clearly demonstrates that the modular buildings are not temporary.

- 3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.**

The continued use of the modular buildings will not affect site circulation and traffic in the area.

- 4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.**

The modular structures will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

**PLANNING COMMISSION ACTION**

The Planning Commission concurred that the original agreed upon conditions have not been met.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 104 by City Clerk

**APPROVALS** 0

**PROTESTS** 0