

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: DECEMBER 20, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ABEYANCE - ROC-17677 - APPLICANT: ANIMAL**  
**FOUNDATION - OWNER: CITY OF LAS VEGAS**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Condition Number 1 of Site Development Plan Review (SDR-6883) shall be amended to state The temporary tent located on the corner of Harris Street and Manning Street shall remain an additional two years from City Council approval.
2. Conformance to all conditions of approval of Site Development Plan Review (SDR-6883) except as amended herein and all other subsequent related actions as required by the Planning and Development Department and the Department of Public Works.

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

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
01/07/04	The City Council approved a Site Development Plan Review (SDR-3275) for a proposed Animal Shelter and Veterinary complex on 9.5 acres adjacent to the southwest corner of Harris Avenue and Mojave Road. 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.
11/01/06	The City Council approved a One Year Review (RQR-14476) 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. The Planning Commission and staff recommended denial on 10/15/06.
<i>Related Building Permits/Business Licenses</i>	
	There are no related permits or licenses on the subject site. A subsequent review will occur which will bring the site into compliance.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	8.39

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Animal Shelter	PF (Public Facilities)	C-V (Civic)
North	Community Recreation Facility	PF (Public Facilities)	C-V (Civic)
South	Fire Station Training/Undeveloped	SC (Service Commercial)/PF (Public Facilities)	C-V (Civic)
East	Water Resource Center/City Storage	PF (Public Facilities)	C-V (Civic)
West	Multi-family housing	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		<b>X</b>	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		<b>X</b>	
<b>Trails</b>		<b>X</b>	
<b>Rural Preservation Overlay District</b>		<b>X</b>	
<b>Development Impact Notification Assessment</b>		<b>X</b>	
<b>Project of Regional Significance</b>		<b>X</b>	

**PROJECT DESCRIPTION**

This is a request for a Review of Condition Number 1 of an approved Site Development Plan Review to allow a temporary tent on the corner of Harris Street and Manning Street to remain for two additional years on 8.39 acres.

**Previous Conditions of Approval from Site Development Plan Review (SDR-6883)**

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.
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.

## **ANALYSIS**

The parent Site Development Plan Review (SDR-6883) for the temporary structures was approved by the City Council on 08/17/05. A condition of approval was imposed which required the removal of individual temporary buildings; and the time at which the modular buildings were to be removed. Condition Number one from Site Development Plan Review (SDR-6883) 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.

Structures Number Three and Number Two have been removed. Remaining on the site are structures Number One and a Temporary Office. By reviewing the minutes of the City Council meeting of 8/17/05 staff was able to determine that the smallest structure on Harris Street is structure Number One, as indicated on the approved site plan (SDR-6883). There are no conditions of approval related to the Temporary Office, as indicated on the approved site plan (SDR-6883). Structure Number One and the Temporary Office have not received building permits. Staff is working with the applicant to bring them into compliance.

A site inspection indicates that an additional temporary structure and a shed have been built at the site. The applicant has submitted a revised site plan which shows the additional temporary structure (indicated as a Pima Permitted Trailer). The revised site plan does not indicate the location of the shed. The site inspection indicates that the shed is located south of the additional temporary structure. These new structures have not been reviewed or properly permitted. Staff is working with the applicant to bring them into compliance.

## **FINDINGS**

The amendment to Condition Number 1 to allow the temporary tent to remain for two years is appropriate. The continued use of the temporary tent does not pose an undue hardship on the existing site or immediate area.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** 101

**APPROVALS** 0

**PROTESTS** 0