

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 7, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-18037 APPLICANT: CAROLLOS TROPICAL MOTORS,
INC. - OWNER: EP DECATUR, LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (4-1/sd vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-18034), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit to allow Motor Vehicle Sales (Used) on 3.74 acres at 2025 South Decatur Boulevard. A Site Development Plan Review application, SDR-18034, to site the addition of a proposed 1,680 square-foot office building to an existing Motor Vehicle Sales (New) establishment is also for the subject site and will be considered concurrently.

The applicant indicates that this location is intended to be occupied by them for two years while the business locates a permanent location. This request is because of the loss of their current lease on premises in the county. The C-2 (General Commercial) zoning on the site is suitable for this use and approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended denial of companion item SDR-18034 concurrently with this application. The Planning Commission voted 4-1/sd to recommend DENIAL (PC Agenda Item #44/rts).
<i>Related Building Permits/Business Licenses</i>	
03/01/06	A building permit application for tenant improvement work, plan check L-3087-06, was submitted 02/02/06. The permit was issued 03/01/06. The Planning and Development Department review began and recorded approval.
09/18/06	A business license for an A16 (Automobile Sales - Automobile sales - new and used) category license was processed in on 05/25/06 by the Department of Finance and Business Services. This license (A16-01269) was approved by planning, on 06/07/06. This license has been issued.
<i>Pre-Application Meeting</i>	
10/23/06	A pre-application meeting was held and elements of this application were discussed. It was noted that a wavier of perimeter landscape buffer requirements would be needed. Additionally, the parking standards and minimum requirements for the motor vehicle sale (used) use were talked about. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
North	Truck Rental/Storage	GC (General Commercial)	C-2 (General Commercial)
South	Shopping Center	SC (Service Commercial)	C-2 (General Commercial)
East	Shopping Center	GC (General Commercial)	C-2 (General Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (Used)	1680 SF	1 space / 500 SF of GFA	4	1	5	1	Y
TOTAL (including handicap)	1,680 SF	1 space / 500 SF of GFA	4		5		Y

ANALYSIS

The proposed Motor Vehicle Sales (Used) use is allowed with the approval of a special use permit in the C-2 (General Commercial) zoning district. Motor Vehicle Sales (Used) is defined in Title 19 as a facility or area used primarily for the display and sale or lease of used automobiles, motorcycles, and motor scooters. This use also includes service bays and auto body shops that are incidental and accessory to the sales use. There are no base conditions for approval of a Special Use Permit for a Motor Vehicle Sales (Used) use. These projects are evaluated on a case-by-case basis and conditions are imposed as needed.

This is an existing, operating auto dealership, Motor Vehicle Sales (New) use, which is leasing the applicant the space as indicated on the proposed site plan. The proposed Motor Vehicle Sales (Used) use requires four parking spaces, including one handicap accessible space. The submitted site plan indicates five spaces will be provided, including the handicap space depicted as van accessible. To ensure that parking is properly calculated for the entire site a condition has been added to the companion site development plan review case, SDR-18034, requiring a revised site plan that shows and tabulates parking for the entire site.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Motor Vehicle Sales (Used) use, and this is an existing auto dealership, Motor Vehicle Sales (New) use, site.

The C-2 (General Commercial) zoning on the site is appropriate for this use and compatible with other commercial uses along South Decatur Boulevard. Staff is recommending approval of this application. However, staff is recommending denial of companion site development plan review case, SDR-18034, due to the applicants request for waivers to the code requirements for perimeter landscape buffering widths, materials and parking lot landscaping.

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 proposed Motor Vehicle Sales (Used) use will be located on two lots that already contain an automotive related business and the surrounding land uses are commercial and medium density residential in character. The proposed use will be compatible with the surrounding land uses.

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

The subject site contains an existing auto dealership, Motor Vehicle Sales (New) use, and is physically suitable for this proposed use.

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 subject site is adjacent to South Decatur Boulevard, a 120-foot wide primary arterial that should be adequate to support the proposed use. Per the proposed site plan the site has additional access off of El Parque Ave, a 60-foot wide local right-of-way. These roadways will be adequate to meet the demand of the uses on the site.

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 businesses on the subject site are routinely inspected for compliance to applicable codes; therefore, the public health, safety, and general welfare will be safeguarded.

PLANNING COMMISSION ACTION

There was one speaker in protest, specifically due to test driving in neighborhoods.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 286 by City Clerk

APPROVALS 0

PROTESTS 0