

AGENDA MEMO

**CITY COUNCIL MEETING DATE: FEBRUARY 7, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-18298 - APPLICANT: GRITZ CAFÉ - OWNER:
EXPERTISE SCHOOL OF BEAUTY LLC**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-136-94) and Site Development Plan Review (SDR-6140) if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a restaurant less than 2,000 square feet without drive-through on 0.99 acres at 1911 Stella Lake Street, Number 150. A related Variance (VAR-18299) will be considered concurrently.

Staff is unable to support this request because staff is recommending denial of the related variance (VAR-17299), which would allow a 17 % reduction in required parking.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/94	The City Council approved a rezoning of the subject property from R-E (Residence Estates) to C-PB (Planned Business Park). The Planning Commission and staff recommended approval.
04/20/05	The City Council approved a Site Development Plan Review (SDR-6140) for a 13,107 square foot cosmetology school and waivers of building setback and perimeter landscaping requirements on the subject site. The Planning Commission and staff recommended approval.
11/16/05	A building permit was issued for this site.
05/26/06	A business license was issued for the beauty school.
01/11/07	The Planning Commission recommended approval of companion item VAR-18299 concurrently with this application. The Planning Commission voted 6-1/sd to recommend APPROVAL (PC Agenda Item #27/ar).
<i>Pre-Application Meeting</i>	
11/14/06	The requirements for a Special Use Permit and a Variance were explained.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.99

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Business school (hair dressing)	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
North	Office/warehouse	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
South	Metro substation	PF (Public Facilities)	C-PB (Planned Business Park)
East	Undeveloped	LI/R (Light Industrial/Research)	C-1 (Limited Commercial)
West	Middle school	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Las Vegas Enterprise Park	X		Y
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
Downtown Redevelopment Area	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

West Las Vegas Plan and Downtown Redevelopment Area

The subject site is located within the West Las Vegas Plan and the Downtown Redevelopment Area on the Southeast Sector Plan Map of the General Plan. These special overlay districts contain standards for redevelopment that are intended to stimulate revitalization of the City's historic urban core.

Las Vegas Enterprise Park

The Las Vegas Enterprise Park is intended as a mixed-use business development under the City's zoning standards. The standards provide for an area exclusively for and conducive to the development and protection of modern administrative facilities, research institutions, and specialized manufacturing operations. The essence of the business park is to provide for an aesthetically attractive working environment.

DEVELOPMENT STANDARDS

Standards	Required	Approved per SDR-6140	Compliance
Min. Lot Width	100 feet	173 feet	Y
Min. Setbacks			
• Front	20 feet	21 feet	Y
• Side	10 feet	7 feet	N*
• Corner	20 feet	NA	N/A
• Rear	15 feet	74 feet	Y
Max. Lot Coverage	50 %	33%	Y
Max. Building Height	NA	1 Stories / 20 feet	N/A
Trash Enclosure	Screened with roof	Screened with roof	Y

A reduction of this side setback was approved as a waiver within SDR-6140.

Standards	Required		Approved per Waiver within SDR-6140
	Ratio	Trees	
Parking Area	1 trees/6 spaces + 1/2 row ends	9 trees	5 trees
Buffer:	• 1 tree/20 linear feet (adjacent to ROW)	6 trees	5 trees
	• 1 tree/ 30 linear feet (adjacent to lot lines)	22 trees	13 trees
Min. zone width	15 feet (adjacent to ROW)/8 feet (sides)		15 feet/ 10 and 7 feet

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
			Business school (hair dressing)	10,725 sf	1 sp/staff; 1 sp/2 students	30	
Office	1,200 sf	1 sp/300 sf	4				
Restaurant public areas	574 sf	1 sp/50 sf	11				
Restaurant - non-public areas	616 sf	1 sp/200 sf	3				
TOTAL			48	2	40	2	N
Percent Deviation					17 %		

ANALYSIS

The site plan illustrates a 13,107 square-foot building in the south portion of the 0.99-acre site. The previously approved Site Development Plan Review (SDR-6140) indicated that the cosmetology school would have 10,725 square feet and a parking requirement of 30 spaces, while the remaining 2,382 square feet of floor area would be used as office space and generate a parking requirement of eight spaces. Combined, the cosmetology school and office space had a parking requirement of 38 spaces, which was met by the 40 on-site spaces. The applicant now proposes to convert approximately half of the office space (1,190 square feet) to a restaurant. Per Title 19, a restaurant with less than 2,000 square feet is required to receive approval of a Special Use Permit when proposed for the C-PB (Planned Business Park) zoning district.

Additionally, when combined with the existing school and office, this new use creates a parking requirement of 48 spaces, which is not met by the 40 on-site spaces and has led the applicant to request a related parking variance (VAR-18299) to allow a 17 % reduction in required parking.

Parking for the development is shown along the north and west sides of the property. Access is provided by Stella Lake Street.

FINDINGS

The following findings must be made for a Special Use Permit:

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

In regard to 1: The use is not compatible with the area because of the shortage of planned parking.

In regard to 2: The subject site is not large enough for the proposed uses and necessary parking.

In regard to 3: The site will have access to Stella Lake Street. This street is adequate to serve the proposed uses. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

In regard to 4: The proposed use 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 considered limiting the hours to 7:00 a.m. to 3:00 p.m. Monday through Saturday.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 180 by City Clerk

APPROVALS 0

PROTESTS 0