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Date: January 18, 2007
To: City of Las Vegas Planning Commission and Staff

Subject: **Jusification Letter**
Variance Parking Standards 163-04-514-004 (and 002 and 003)
Aegean Isle commercial center

Request

We request a waiver of the Title 19 parking requirement to allow the existing 267 common use parking spaces to suffice where commercial occupancies in our building could call for up to 275 spaces (8 more than presently available). We would thereby accommodate businesses that require 5 spaces per thousand (rather than 4) and possibly another deli or food establishment, especially where peak activity is after the daily 8-5 business hours. This waiver would replace the existing ratio set at 250 square feet per parking space for all occupancies as established when the sub-division was created.

Background

This small seven unit mall shares a parking facilities with a large office building and a veterinary clinic. There are 24 spaces on this parcel and 243 spaces on the other parcels of the commercial subdivision. The site is fully developed, and there have been no instances where the parking facilities have been fully occupied. An existing variance calls for calculating all spaces at 250 sq. ft. per parking space. Under this formula, the existing buildings on the site would require 30 more spaces than the 267 that exist on the site. Any new T.I. or remodel would show up as non-compliant because of parking deficiencies, even when building areas are not changed.

Justification

The tenant spaces within our building are restricted by the off-site parking requirement, and several attractive businesses have been unable to obtain tenant improvement permits because of parking issues, thus causing the space to go unoccupied. The existing restaurant and the four other occupied spaces have not caused an over-parked condition on the 24 spaces on the parcel or on the 243 spaces on adjacent parcels of the commercial subdivision. Peak hours of the restaurant uses have not coincided with the daytime peak hours of the office building or the Veterinary clinic. Parking for the food establishment is ample at the dinner hours after the other building businesses have been vacated each day. A large portion of lunchtime customers come from the businesses who's employees and customers are already parked here. Exercise spas and similar business, which are most active after business office hours would have plenty of open parking, but they haven't been able to get approved because of parking issues when they apply for T.I. permits. Planning staff have difficulty interpreting our situation because neither the existing variance nor Title 19 show that we have adequate parking.

Regular periodic observation of the overall parking facility indicates that there are never less than 20 vacant parking spaces at the fullest occupancy and that there are as many as 35 open spaces during the daily lunch hour when food service loads are heaviest. During 8-5 business hours there are seldom less than 80 available spaces in the combined parking lots.

Summary

The parking facilities in joint use in this commercial subdivision are more than adequate, and could easily bear the load of fully occupied businesses, including businesses with higher parking requirements under Title 19. The existing variance is confusing because it indicates a perpetual shortfall of parking. Clarifying the variance would remove a hardship in finding qualified and suitable tenants for the units in our building without creating a parking impaired condition.

Submitted on behalf of the applicant,


D.W. Strait, A.I.A.

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03/08/07 PC