



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: NOVEMBER 29, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-25017 - APPLICANT: FAB FRED, LLC - OWNER: PKKL, LLC**

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

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

***Planning and Development***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 and the Montecito Town Center Development Agreement for Automobile Repair Facility use.
2. Conformance to the conditions for Major Modification (MOD-3763), Rezoning (ZON-3840), Site Development Plan Review (SDR-10148) and Special Use Permit (SUP-10798) if approved.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

The Request is for a Special Use Permit for a Major Amendment to an approved Special Use Permit (SUP-10798) to add a Minor Auto Repair Use to an existing Auto Maintenance (Oil and Lube) Facility located at the 7155 Grand Montecito Parkway. This modification is to remove the restriction from just oil and lube servicing to allow the full extent of the Minor Auto Repair use.

Staff recommends approval as there is minimal impact anticipated from adding the Minor Auto Repair use to the existing facility that maintains an active convenience store, car wash with drive-through, and Auto Maintenance Facility.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
04/07/04	The City Council approved a Site Development Plan Review (SDR-3764) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. A related Modification (MOD-3763) to the Town Center Master Plan accompanied this request. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales on Pad A, (SUP-3767) for gaming (incidental) on Pad A, (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern on Pad P, (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales on Pad Q, (SUP-3776) for a car wash on Pad Q, (SUP-3777) for gaming (incidental) on Pad Q, (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern on Pad Z, (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales on Pad HH, (SUP-3785) for gaming (incidental) on Pad HH, (SUP-3786) for a Drive-through Facility on Pad HH, (SUP-3788) for a Drive-through Facility on DD, and (SUP-3789) for a Drive-through Facility on EE. The Planning Commission and staff recommended approval on 3/11/04.
02/16/05	The City Council approved a Site Development Plan Review (SDR-5731) which revised a portion of the previous Site Development Plan Review (SDR-3764). The changes resulted in a reduction of total building square footage from approximately 584,544 square feet to 380,003 square feet. Staff and the Planning Commission recommended approval on 01/13/05.

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03/01/06	The City Council approved a Site Development Plan Review (SDR-10148) and a Special Use Permit (SUP-10149) for a proposed Drive-through Facility with a 4,975 square-foot Convenience Store, a Special Use Permit (SUP-10798) for a 1,748 square-foot Automobile Maintenance Facility (Oil and Lube), 4,070 square-foot Carwash (automatic), on 1.87 acres at the southwest corner of Elkhorn Road and Grand Montecito Parkway. The Planning Commission recommended approval. Staff recommended denial of the Site Development Plan Review and approval for the Special Use Permits.
09/20/06	The City Council approved the following Special Use Permits for 7155 Grand Montecito Parkway: SUP-15085 for Gaming in conjunction with a Convenience Store; SUP-15086 for proposed liquor sales in conjunction with a Convenience Store; SUP-15087 for a proposed Car Wash; and SUP-15088 for a for gasoline sales in conjunction with a proposed Convenience Store; SUP-15230 for a proposed Convenience Store was approved concurrently with these items. The Planning Commission and Staff recommended approval on 8/24/06.
<b><i>Related Building Permits/Business Licenses</i></b>	
05/03/07	P/C # C-0076-06: Plan Check for a Convenience Store with Car Wash including Oil and Lube building
10/25/07	Business License #C02-00410 for a Car Wash at 7155 Grand Montecito Parkway
10/25/07	Business License #C15-90946 for a Convenience Store at 7155 Grand Montecito Parkway
10/25/07	Business License #G01-02310 for Restricted Gaming seven slot machines at 7155 Grand Montecito Parkway
<b><i>Pre-Application Meeting</i></b>	
09/13/07	A pre-application meeting was held with staff to discuss the Major Modification to add the Minor Auto Repair use the approved Special Use Permit (SUP-10798) which restricted the operations to Oil and Lube services.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	

<b><i>Field Check</i></b>	
10/30/07	<p>A field check was made by staff with the following observations:</p> <ul style="list-style-type: none"> <li>• Recently completed convenience store with drive-through car wash and service bays for Automobile Maintenance Facility.</li> <li>• Service bays open towards rear of neighboring grocery store and towards Grand Montecito Parkway.</li> </ul>

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.96 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial/Retail	Montecito Town Center Mixed Use Commercial	T-C (Town Center)
North	Undeveloped	PF-TC (Public Facility Town Center)	T-C (Town Center)
South	Commercial/Retail	Montecito Town Center Mixed Use Commercial	T-C (Town Center)
East	Undeveloped/Park	Montecito Town Center Mixed Use Commercial	T-C (Town Center)
West	Commercial/Retail	Montecito Town Center Mixed Use Commercial	T-C (Town Center)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Montecito Town Center	X		Y
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
T-C (Town Center) District	X		Y
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

**DEVELOPMENT STANDARDS**

This application is a Major Amendment to an approved Special Use Permit (SUP-10798); the existing Auto Repair Facility has been approved under the Site Development Plan Review (SDR-10148) and there are no anticipated physical or parking changes proposed.

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## ANALYSIS

The applicant has requested a Special Use Permit to add a Minor Auto Repair use to the listed Oil and Lube use that had been previously approved with the Special Use Permit (SUP-10798).

- **Montecito Town Center**

The subject site is located within the Montecito Town Center Area, and is governed by one overall land use category called Mixed-Use Commercial. Within the Montecito Town Center Mixed-Use Commercial land use category are six distinct Activity Centers that have no fixed boundaries and permit a variety of commercial, retail, and mixed-use developments with the exception of one of the Activity Centers acting as a Buffer Area for the Timberlake Community.

- **SUP-10798**

A Special Use Permit was approved on January 26, 2006 for an Auto Maintenance (Oil and Lube) Facility located at 7155 Grand Montecito Parkway. This Special Use Permit was recommended for approval as it was depicted on the approved site plan for the Montecito Market Place and was determined to be compatible with the surrounding development. The original Special Use Permit (SUP-10798) is set to expire on January 26, 2008 if a business license for the Minor Auto Repair use is not issued.

## 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 addition of the Minor Auto Repair use to the approved Auto Maintenance (Oil and Lube) Facility use can be conducted in a manner that is harmonious with the existing automobile maintenance use and is 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.**

The subject site is developed for an approved for Automobile Maintenance (Oil and Lube) Facility and also maintains a convenience store and a car wash with drive-through. Staff finds that the addition of Minor Auto Repair to an existing facility will have minimal impact on the current licensed operations.

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- 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.**

Site access is provided by shared access drives from Elkhorn Road, a Primary (100-foot) Town Center Arterial, and from Montecito Parkway, a Town Center Loop (90-foot) Road. The existing facility can adequately meet the needs of the addition of a Minor Auto Repair use to the Automotive Maintenance Facility.

- 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.**

Approval of a Special Use Permit for the addition of the Minor Auto Repair use to the approved Auto Maintenance (Oil and Lube) Facility use will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

- 5. **The use meets all of the applicable conditions per Title 19.04.**

Per the approved Site Development Plan Review (SDR-10149) this Major Amendment to an approved Special Use Permit (SUP-10798) does not require a Waiver to the Montecito Town Center Development agreement for the service bays to face Grand Montecito as the building has been completed and operates as an Automotive Service Facility.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 12

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 444

**APPROVALS** 3

**PROTESTS** 1