

## AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 5, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-24772 APPLICANT/OWNER: RANCHO DEL MAR, LLC

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### **\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. This use is permitted in accordance with the applicable zoning district requirements, if the installation complies with the provisions of NRS 590.465 et seq.
2. This approval shall be void one year from the date of final approval, unless a building permit 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 to add a proposed Liquefied Petroleum Gas Installation (Over 288 Gallons) to an existing Service Station (Without Automobile Repair) located at 3550 North Rancho Drive. The proposed use does not negatively affect adjacent properties and is compatible with the surrounding land-uses; therefore, staff recommends approval.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
03/28/1995	The City Council approved a Special Use Permit (U-0030-95) for a Tavern in conjunction with a proposed restaurant; and a request for waivers for the 1,500 foot distance separation required from another tavern and a church.
02/27/1996	The City Council approved a Special Use Permit (U-0001-96) to allow the sale of off-premise beer and wine in conjunction with a proposed convenience store. The Board of Zoning Adjustment and Staff recommended approval. The City Council approved a Special Use Permit (U-0002-96) to allow an automated car wash in conjunction with a lube and tune shop. The Board of Zoning Adjustment and staff recommended approval.
04/01/1997	The Board of Zoning Adjustment approved an Extension of Time [U-0002-96(1)] for an approved Special Use Permit (U-0002-96). Staff recommended approval.
04/28/1997	The City Council approved an Extension of Time [U-0001-96(1)] for an approved Special Use Permit (U-0001-96). Staff had no objection with this request. The Board of Zoning Adjustment recommended approval.
04/02/2003	The City Council approved a Rezoning (ZON-1364) from C-2 (General Commercial), R-E (Residence Estates), R-MHP (Residential Mobile/Manufactured Home Park), and U (Undeveloped) to C-2 (General Commercial), C-1 (Limited Commercial), O (Office), C-V (Civic), R-E (Residence Estates), R-1 (Single Family Residential) and U (Undeveloped) to GC (General Commercial), O (Office), PF (Public Facility), ML (Medium-Low Density Residential) and DR (Desert Rural ) on property located on, or in close proximity to, both sides of Rancho Drive from Vegas Drive to the northern City limits at Moccasin Road. The Planning Commission and staff recommended approval.

10/01/2003	The City Council approved a General Plan Amendment (GPA-2516) to amend portions of the Centennial Hills Sector Plan Map from GC (General Commercial), SC (Service Commercial) and DR (Desert Rural) to GC (General Commercial), O (Office), SC (Service Commercial), PF (Public Facility) and DR (Desert Rural) on property located on both sides (or close proximity) of Rancho Drive from Cheyenne Avenue to Gowan Road. (APN: 138-12-301-002, 003, 004, 013, 014, 016, 138-12-315-006, 008, 009, 010, 138-12-710-002, 003, 041, 042, 043, 047, 048, 049, 050, 052, 053, 059, 138-12-810-011, 019, 039, and 040). The Planning Commission and staff recommended approval.
11/08/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11/ed).
<b><i>Related Building Permits/Business Licenses</i></b>	
07/19/2007	The Building Department is in plan review of an Over the Counter Permit (94181) for a Liquid Petroleum Gas Tank Installation at 3550 N Rancho Drive.
10/09/2007	The Building Department has processed a building application for a Liquid Petroleum Gas Tank.
<b><i>Pre-Application Meeting</i></b>	
08/01/2007	Discussed the use of a Liquefied Petroleum Gas Installation (Over 288 Gallons) in a C-2 zone and the process to obtain a Special Use Permit.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood Meeting is not required for this application, nor was one held.	
<b><i>Field Check</i></b>	
10/09/2007	The applicant has already installed the ballards for this use. The installation location is placed on the north side of this property, outside of the traffic isle and not occupying any existing parking spaces.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	1.0

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Commercial (Convenience Store and Gas Station)	GC (General Commercial)	C-2 (General Commercial)
North	Commercial (Contractor and Computer Sales)	GC (General Commercial)	C-2 (General Commercial)
South	Commercial (Tavern and Restaurant)	GC (General Commercial)	C-2 (General Commercial)

East	Commercial (Tavern and Restaurant)	GC (General Commercial)	C-2 (General Commercial)
West	Commercial (Building Supplies and Hardware & Misc. Sales)	GC (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>	X		
A-O Airport Overlay District (70)	X		Yes
<b>Trails</b>	X		Yes
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.10, the following parking standards apply:*

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Service Station (Without Automotive Repair)	3,916 SF	1/250 Square feet	15	1	24	1	Y
<b>TOTAL</b>			16		25		Y

## ANALYSIS

- Zoning

The subject site on which the use will be located is zoned C-2 (General Commercial). This district allows retail, service, automotive, wholesale, office and other general business uses of intense character, as well as mixed use developments. A Liquid Petroleum Gas Installation (Over 288 Gallons) is permitted in the C-2 (General Commercial) District with approval of a Special Use Permit.

The site is within the North Las Vegas Airport Overlay Map portion of the A-O (Airport Overlay) District. The proposed and existing structures are below the height limitation of seventy-feet (70) and are in compliance with Title 19.06.080.

An established Pedestrian Trail is located on the south property line and North Rancho Drive. This trail is already established and has no effect on this application.

Parking is adequately provided by the current use of a Service Station (Without Automotive Repair). The addition of a Liquid Petroleum Gas Installation (Over 288 Gallons) does not occupy any existing parking spaces and this use does not increase the parking required.

- Use

A Liquid Petroleum Gas Installation is defined by Title 19 as a facility or system which includes tanks, piping or gas equipment (or any combination thereof) and is used or intended to be used for the storage, dispensing or other utilization of liquefied petroleum gas.

The subject use is to be located in conjunction with an existing Service Station (Without Automotive Repair) at 3550 North Rancho Drive. The proposed Liquid Petroleum Gas Installation (Over 288 Gallons) will be located on the north side of this property and will be approximately 1,000 Gallons, will have a height of five-foot six-inches (56), a width of three-foot six-inches (36) and a length of sixteen-feet (16). This tank will be protected by an eight-foot (8) by twenty-foot (20) arrangement of sixteen ballards measuring three-feet in height.

- Conditions

Per Title 19.04.010, the following are minimum Special Use Permit requirements of a Liquefied Petroleum Gas Installation (Over 288 Gallons) use.

1. This use is permitted in accordance with the applicable zoning district requirements if the installation complies with the provisions of NRS 590.465 et seq.
2. Any installation which was made nonconforming by the adoption of the standards of this Title regarding liquefied petroleum gas installations is subject to the expansion and discontinuance provisions set forth in Chapter 19.16.

## **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.**

The proposed use is surrounded by properties that are zoned General Commercial and have a General Plan designation of General Commercial. The installation of a Liquid Petroleum Gas Tank is compatible with the existing and future land use.

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

The proposed Liquid Petroleum Gas Tank is a compatible accessory use to a Service Station (Without Auto Repair). The placement of the Liquid Petroleum Gas Tank will not obstruct traffic and is physically suitable.

- 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.**

This property has driveway access from both North Rancho Drive (a 120-foot Primary Thoroughfare) and West Gowan Road (a 60-foot Collector). This use will not have an adverse effect on the capacity of the streets.

- 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 the development should not prove to be detrimental to the overall health, safety and public welfare. This development is consistent with the objectives of the General Plan.

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

This use meets all applicable conditions per Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 194 by City Clerk

**APPROVALS** 0

**PROTESTS** 0