



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 6, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-25570 - APPLICANT: CASABLANCA GROUP, INC -
OWNER: PARTCH-LEBOVITZ FAMILY TRUST, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Bailbond Service use, including parking requirements.
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 Bailbond Service at 235 North Eastern Avenue Suite 104. The proposed Bail Bond Service is in compliance with the General Plan, Title 19, and all other applicable plans; therefore staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/19/91	The City Council approved a Special Use Permit (U-0098-91) to allow the sale of beer and wine in conjunction with a grocery store.
01/06/93	The City Council approved a Variance (V-0179-92) to allow 193 parking spaces in a shopping center where the existing and proposed uses require 247 parking spaces.
06/25/93	The City Council approved a Special Use Permit (U-0138-93) to allow the sale of beer and wine within an existing restaurant.
01/10/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/jm).
<i>Related Building Permits/Business Licenses</i>	
01/17/07	A building permit, #70525, was issued for vehicle damage repair.
09/04/07	A building permit, #87872, was issued for fire repair for C of C.
12/21/99	A business license was issued for restricted gaming (G-01-01950) at 235 N. Eastern Ave Suite 127.
07/17/00	A business license was issued for a bakery/deli (R-05-00257) at 235 N. Eastern Ave Suite 122.
02/18/04	A business license was issued for a laundromat (L-01-00147) at 235 N. Eastern Ave Suite 124.
02/18/04	A business license was issued for amusement machines (C-08-01352) at 235 N. Eastern Ave Suite 124.
04/06/04	A business license was issued for gifts and novelties (G-04-05553) at 235 N. Eastern Ave Suite 131.
10/28/04	A business license was issued for restricted gaming (G-01-02185) at 235 N. Eastern Ave Suite 124.
06/20/05	A business license was issued for a restaurant (R-09-00403) at 235 N. Eastern Ave Suite 132.
06/20/05	A business license was issued for a jukebox (C-08-01664) at 235 N. Eastern Ave Suite 132.
06/28/05	A business license was issued for a check cashing facility (C-21-00024) at 235 N. Eastern Ave Suite 106.

07/14/05	A business license was issued for a dental firm (Q07-00194) at 235 N. Eastern Ave Suite 107.
08/05/05	A business license was issued for a convenience store (C-15-00189) at 235 N. Eastern Ave Suite 127.
08/05/05	A business license was issued for cigarette sales (C-05-01783) at 235 N. Eastern Ave Suite 127.
08/15/05	A business license was issued for a wire transfer service (W-10-00087) at 235 N. Eastern Ave Suite 106.
10/13/06	A business license was issued for beer/wine cooler off-sale (L-10-00052) at 235 N. Eastern Ave Suite 127.
12/07/06	A business license was issued for beer/wine cooler on-sale (L-09-00232) at 235 N. Eastern Ave Suite 132.
03/28/07	A business license was issued for music cd/dvd sales (V-07-00193) at 235 N. Eastern Ave Suite 130.
12/05/07	A business license application is pending approval for a clothing store (C-07-97990) at 235 N. Eastern Ave Suite 116.
<i>Pre-Application Meeting</i>	
11/08/07	A pre-application meeting was held where elements of a Special Use Permit for a bail bonds office were discussed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.58

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	General Retail Stores	SC (Service Commercial)	C-1 (Limited Commercial)
North	Auto Shop, Multi-Family Residential	M (Medium Density Residential)	C-1 (Limited Commercial) and R-3 (Medium Density Residential and Apartment)
South	General Retail Stores	SC (Service Commercial)	C-2 (General Commercial)
East	Mini mart, East Las Vegas Community & Senior Center	SC (Service Commercial) and PF (Public Facility)	C-1 (Limited Commercial) and C-V (Civic District)

West	Multi-Family Residential	SC (Service Commercial)	R-3 (Medium Density Residential and Apartment)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Trails	X		Y*
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The sidewalk adjacent to the south side of Stewart Avenue is designated as a pedestrian path

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center (25,000 SF 350,000 SF GFA)	39,470 SF	1/250 GFA	158	6	180	10	
TOTAL			164		190		Y*

* Under Title 19.04, a shopping center use is defined as Any structure or group of structures that:
 (1) House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses; (2) Have a minimum combined gross floor area of 25,000 square feet and a maximum combined gross floor area of 350,000 square feet; (3) Are located upon a single parcel of land or upon contiguous parcels of land; and (4) Have common vehicular access and parking facilities. This development is deemed a shopping center use and parking is calculated for the overall development not each individual use.

ANALYSIS

- Zoning

The subject property is zoned C-1 (Limited Commercial). The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

- Use

The proposed use as a Bail Bond Service requires a Special Use Permit within the C-1 zone. If approved, this application for a Special Use Permit would fulfill that requirement.

- Landscaping

The landscaping currently on site within the existing shopping center is not in conformance with the landscape plans approved by Planning 01/20/88. As the inline shops south of the proposed Bailbond Service use recently experienced fire damage to more than fifty percent of the building, Planning has placed a requirement on the property owner to submit revised landscape plans and bring the landscape in to compliance with Title 19 standards in conjunction with the reconstruction of the inline shops.

- Conditions

There are no special conditions associated with this Special Use Permit request.

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 compatible with neighboring commercial retail and civic uses and future land uses projected by the General Plan.

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

The proposed use will be established within an existing shopping center which is currently being rebuilt south of the proposed use due to previous fire damage.

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.

Existing streets and roads adequately serve the project location and the proposed use will not adversely affect operations of the road infrastructure.

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 proposed use will not negatively affect human health and public safety or be inconsistent with the goals of the General Plan.

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

The proposed use adequately addresses all Title 19.04 conditions for Bailbond Services.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 230 by City Clerk

APPROVALS 1

PROTESTS 0