



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: OCTOBER 23 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SUP-29146 - APPLICANT: NERISSA THOMAS -**

**OWNER: LARRY D. AND NERISSA L. THOMAS**

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

**STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:

***Planning and Development***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Truck Rental.
2. Conformance to the conditions for Site Development Plan Review (SDR-29787) if approved.
3. The number of rental trucks on site shall not exceed five at any time.
4. 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 allow a Truck Rental use as an ancillary use to an existing Major Automotive Repair use. The proposed location is at 3700 North Rancho Drive which is on a 1.44 acre site on the northeast corner of Duncan Drive and Rancho Drive. There is an associated request for a Site Development Plan Review (SDR-29787) to allow an existing chain link fence to remain onsite and to pave a 35,000 square-foot portion of a 62,000 square-foot lot. As the applicant is requesting Waivers of all Title 19 landscaping standards for this site, staff recommends denial of this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
1964	Subject parcel Annexed into the City of Las Vegas.
11/19/91	The City Council approved a request for a Variance (V-0174-91) to allow the repair and fabrication of utility trailers on the subject site.
10/09/08	The Planning Commission approved a request for a Special Use Permit (SUP-29146) for Truck Rental on the subject site to be held in abeyance to the 10/23/08 meeting so a new landscape proposal could be evaluated by staff.
<b><i>Related Building Permits/Business Licenses</i></b>	
06/13/08	Request for a business license (A19-92293) for truck rental denied 3700 North Rancho Drive.
07/09/08	Business License (G03-01059) issued for an Auto Repair Garage (Major) 3700 North Rancho Drive.
<b><i>Pre-Application Meeting</i></b>	
09/03/08	Requirements for a Site Development Review application were discussed with the applicant.
<b><i>Neighborhood Meeting</i></b>	
A meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
09/02/08	Staff found the subject site to be in use as an automotive repair facility. Penske rental trucks were observed on-site as well as signage indicating Penske truck rental.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	1.44

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Repair	SC (Service Commercial)	C-2 (Limited Commercial)
North	Recreational Vehicle Sales	SC (Service Commercial)	C-2 (Limited Commercial)
South	Social Service Provider	SC (Service Commercial)	C-2 (Limited Commercial)
East	Automotive Repair	SC (Service Commercial)	C-2 (Limited Commercial)
West	Multi-Family	SC (Service Commercial)	R-3 (Medium Density Residential)

<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	N/A
A-O Airport Overlay District (105-Foot)	X		Y*
<b>Trails</b>		X	N/A
<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

\* The subject property is located within the North Las Vegas Airport Overlay Map within the 105-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

**DEVELOPMENT STANDARDS**

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

<b>Parking Requirement</b>							
<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	
Automotive Repair Major	3,600 SF	5 spaces and 1 space per 200 SF	18	1	24	1	Y
Truck Rental	900 SF	1 per rental truck and 1 per 250 SF	9	1	9	1	Y

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<b>SubTotal</b>			22	2	33	2	Y
<b>TOTAL</b> (including handicap)			22		33		Y

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
Waiver of all Title 19.12 landscape requirements.	52 trees are required, as well as 208 shrubs as well as ground cover.	Denial*

*\*The applicant is proposing to add 11, 15 gallon trees, 17 additional plants, as well as adding 2 inches of ¾ inch decorate rock mulch to all existing landscape planter.*

<b>Exceptions</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
Waiver of all Title 19.10 parking lot landscaping requirements.	12 landscaped finger islands are required.	Denial

<b>Deviation from Title 19.12.075</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow an existing chain link fence along portions of the south perimeter and along portions of the western interior of the property.	Chainlink or open wire fencing, razor wire or barbed wire shall not be acceptable for use as screen or perimeter walls	Denial

**ANALYSIS**

This is a request for a Special Use Permit to allow a Truck Rental use as an ancillary use to an existing Major Automotive Repair use. The proposed location is at 3700 North Rancho Drive which is on a 1.44 acre site on the northeast corner of Duncan Drive and Rancho Drive. There is an associated request for a Site Development Plan Review (SDR-29787) to allow an existing chain link fence to remain onsite and to pave a 35,000 square-foot portion of a 62,000 square-foot lot. As the applicant is requesting Waivers of all Title 19 landscaping standards for this site, staff recommends denial of this request.

The applicant proposes to pave a 35,000 square-foot portion of the site that has an existing chain link fence surrounding it, which the applicant proposes to utilize for storage of the trucks. The applicant states that they will only have a maximum of five trucks on site and that the largest truck they will rent will be a 36-foot long truck, and that the area they propose to store the trucks in is large enough to accommodate them.

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As the applicant is requesting Waivers of all Title 19 landscaping, landscape buffer standards and parking lot landscaping standards for this site, staff recommends denial of this request.

### **Zoning**

The C-2 zoning district is designed to provide the broadest scope of compatible services for both the general and traveling public. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is consistent with the General Commercial category of the General Plan.

### **Use**

Title 19.04 defines Truck Rental as a facility for the rental of new or used trucks. For purposes of this use, rental trucks kept on the lot are not considered to be outside storage. This will be an ancillary use to the existing Automotive Repair Garage (Major) on the site, and is an appropriate use for a property with C-2 (General Commercial) Zoning.

### **Conditions**

There are no required conditions of approval in Title 19.08.050 specific to the Truck Rental use. However, a condition has been added restricting the number of trucks on this site to five to ensure adequate parking is provided. If this Special Use Permit is approved, the applicant must also comply with all conditions of approval of all related cases associated with this site.

### **Site Plan**

The 1.44 acre site presently contains an existing 4,500 square-foot automotive repair facility. Access to the site is gained via two driveways to Rancho Drive and a single driveway to Duncan Drive. There is a customer parking area on the south and west sides of the property with a single metal automotive repair building located in the center of the site. Currently there is an unpaved 35,000 square-foot dirt yard in the rear of the property which the applicant proposes to pave. Title 19.12.075 Wall standards do not allow chain link fence as an approved fencing material, the applicant is requesting to allow an existing chain link fence to remain in place of a permissible wall around the proposed rental truck storage area.

### **Floor Plan**

There is an existing 4,500 square-foot automotive repair building on the site. The structure houses a 900 square-foot lobby, including two restrooms, a 450 square-foot office and 450 square feet of storage. In addition, a 900 square-foot space is proposed for the truck rental customer service area, including a customer restroom. The remaining 1,800 square feet of the structure is utilized as an automotive repair bay.

- **Elevations**

The existing 4,500 square-foot metal building has a metal blue and white exterior and a metal roof. There are three ten-foot wide roll up doors, one on each of the northwest, northeast and southeast sides of the building.

- **Parking**

The applicant proposes to restripe the existing parking lot to add five additional parking spaces to accommodate the proposed truck rental use, and to bring the handicapped parking spaces up to current Title 19.10 standards. Title 19.10 requires 22 standard parking spaces and two handicapped spaces with one being a van accessible space. The applicant proposes 33 standard parking spaces and two handicapped spaces including one van accessible space. A Waiver has been requested to allow no parking area landscaping where 12 landscape finger islands are required for the proposed parking area configuration.

## 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 applicant proposes to provide inadequate buffering and inadequate landscaping of the subject site per Title 19 standards. Therefore; the proposed use can not be conducted on this site as proposed in a manner that is harmonious and compatible with the surrounding and future land uses.

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

The proposed buffering and landscaping provided on the subject site fails to comply with Title 19 Standards; therefore it is not physically suitable for the type and intensity of the proposed use.

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.**

The subject site is accessed via Duncan Drive which is identified by the Master Plan of Streets and Highways as a 60-foot Local Collector and Rancho Drive which is identified by the Master Plan of Streets and Highways as a 100-foot Primary Arterial. These roadways will not be adversely impacted by 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.**

The property is subject to State of Nevada and City of Las Vegas inspections as well as the International Building Code and therefore public health and safety and welfare will not be adversely impacted by this proposed development.

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

The proposed use on the subject site meets all Title 19.04 applicable conditions.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 122

**APPROVALS** 1

**PROTESTS** 1