



## AGENDA MEMO

**PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-29648 - APPLICANT/OWNER: PALM MORTUARY, INC.**

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

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

#### **Planning and Development**

1. Conformance to the conditions for Special Use Permit (SUP-29649).
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 08/26/08, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

12. Coordinate with the Department of Building and Safety to determine if existing property lines have any impact on further development of this site.
13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Grant a 10 foot Pedestrian Access Easement along Main Street prior to the issuance of any permits for this site.
15. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveway accessing this site from Foremaster Lane.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

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

**PROJECT DESCRIPTION**

The applicant is proposing to construct a 14,771 square-foot Crematory and Mortuary preparation building at an existing Mortuary and Cemetery facility at 1325 North Main Street. Staff finds this is a compatible proposal to the existing site and the surrounding properties; therefore recommends approval of this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
05/21/03	The City Council approved the Downtown North Land Use Plan (GPA-2249). That Plan included a map which specified future land uses for properties within Downtown North. An implementation action of the Plan directed the Planning and Development Department to initiate rezoning of properties to bring them into compliance with land use categories shown in this Plan. The Planning Commission recommended approval of the Plan on 04/24/03.
12/03/03	The City Council approved a Text Amendment (TXT-2896) to add Cemetery/Mausoleum as a use permitted as a matter of right in the C-V (Civic) zoning district.
04/21/04	The City Council approved a Rezoning (ZON-3888) from M (Industrial), C-M (Commercial/Industrial), C-2 (General Commercial) and C-V (Civic) to C-M (Commercial/Industrial), C-2 (General Commercial), C-1 (Limited Commercial), R-3 (Medium Density Residential), and C-V (Civic) on properties generally located within the area bounded by Washington Avenue, Owens Avenue, the Union Pacific Railroad and Bruce Street. The Planning Commission and Staff recommended approval of the request.
<b><i>Related Building Permits/Business Licenses</i></b>	
08/11/93	A business license (C11-04909) was issued for a contractor at 1325 North Main Street.
08/03/95	A building permit (#95383898) was issued for a 3,040 square-foot facility remodel at 1325 North Main Street. This project was completed on 10/26/95.
10/19/95	A business license (F05-00020) was issued for a Funeral Home and Cemetery at 1325 North Main Street.
09/12/95	A building permit (#95386923) was issued for Tenant Improvements at 1325 North Main Street. This project was completed 10/26/95.

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08/20/03	Permit (#95383898) for a monument sign was issued at 1325 North Main Street. The project was completed on 09/25/03.
07/24/07	A business license (F05-00027) was re-issued for a Funeral Home and Cemetery at 1325 North Main Street.
07/25/07	A business license (F05-00032) was issued for a Memorial Estate Planning Service at 1325 North Main Street.
07/21/07	A business license (Q05-00020) was issued for Funeral/Cemetery Administrators at 1325 North Main Street.
07/25/07	A business license (H02-01010) was issued for Handbilling at 1325 North Main Street.
<b><i>Pre-Application Meeting</i></b>	
08/13/08	The requirements for Special Use Permit and Site Development Plan Review applications 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	The developed portion of the site is an established mortuary and cemetery that is well maintained and secured. Staff found the undeveloped portion of the site to be vacant, with weeds and small amounts of debris scattered across it. There is a significant grade difference on the site, sloping from the southwest to the northeast and the configuration of the walls on the subject site and adjacent sites blocks the undeveloped portion from view of most of the surrounding properties.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	13.12

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	C-V (Civic)	PF (Public Facilities)	C-V (Civic)
North	Automotive Repair	PF (Public Facilities); GC (General Commercial)	C-2 (General Commercial)
South	State of Nevada Maintenance Facility, Apartments	PF (Public Facilities); M (Medium Density Residential)	C-V (Civic), (Residential Mobile/Manufactured Home Park)
East	Homeless Shelter, Mortuary	SC (Service Commercial); PF (Public Facilities);	C-2 (General Commercial); C-V (Civic)

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West	Paiute Indian Smoke Shop	GC (General Commercial); PF (Public Facility)	R-5 (Apartment); C-V (Civic); C-2 (General Commercial); M (Industrial)
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<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		Y
C-V Civic District	X		Y
Downtown North Land Use Plan	X		Y
A-O Airport Overlay District (200 feet)*	X		Y
<b>Trails (Pioneer Trail)</b>	X		Y**
<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 within the 175-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

\*\*The proposed development will have no impact on Pioneer Trail. The Main Street Alignment as the existing landscaping and driveway configuration will remain.

**DEVELOPMENT STANDARDS**

Pursuant to Title 19.06.020, the development standards for a project in a Civic zoning district shall be established by the C-V District approval and any corresponding Site Development Plan Review approval under Subchapter 19.18.050. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are acceptable for this use and this portion of the City of Las Vegas.

*The following development standards are proposed for this C-V (Civic) District:*

<i>Standard</i>	<i>Provided</i>
Min. Lot Width	40 Feet
Min. Setbacks	
• Front	116 Feet
• Side	84 Feet
• Corner	480 Feet
• Rear	12 Feet
Max. Building Height	35 Feet*
Mech. Equipment	Screened**
Trash Enclosure	Screened and Covered

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<i>Landscaping and Open Space Standards</i>	<i>Provided</i>
Parking Area	15 Trees
Buffer: Min. Trees	22 Trees (24-inch box trees in various groupings)
<b>TOTAL</b>	37 Trees
Min. Zone Width: North West South East	0 Feet 15 Feet 0 Feet 15 Feet
Wall Height	6 Foot Decorative Perimeter Wall

\* The structure makes use of the grade of the site; the rear of the building is 32 feet in height, while the front of the structure is 18 feet in height.

\*\* The Site Plan does not indicate whether mechanical equipment is screened. A condition has been added requiring all mechanical equipment to be screened from views of abutting streets. .

**Pursuant to Title 19.04 and 19.10, the following parking standards apply:**

<b>Parking Requirement</b>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>	<i>Base Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>	
Crematory in conjunction with an existing Mortuary Use	9,121 SF Gathering Area	One space for each 4 fixed seats or one space for each 100 square feet of non-fixed seating area in the gathering room whichever is greater.	92	4	212	8*	Y
<b>TOTAL (including handicap)</b>			96		220		Y

\*Including one van accessible space.

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## **ANALYSIS**

The applicant is proposing to construct a 14,771 square-foot crematorium building at an existing Mortuary and Cemetery facility at 1325 North Main Street. The proposal includes sufficient parking for the employees working at the facility and satisfactory landscaping.

The existing C-V (Civic) zoning district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The proposed use established at this location is permissible in a C-V (Civic) zoning district which is compatible with the PF (Public Facilities) General Plan designation.

Pursuant to Title 19.06.20, the development standards for a project in a C-V (Civic) District shall be established by the C-V (Civic) District approval and any corresponding Site Development Plan Review approval under Subchapter 19.18.050. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are defined as a part of this review. Any future development will require review for determination of appropriate development standards.

The proposed Site Development Plan Review is in conformance with the sites General Plan designation PF (Public Facilities) and is appropriate for the existing C-V (Civic) zoning district. The proposed Crematory use is compatible with the existing Mortuary/Cemetery uses on the site and the neighboring uses, which are automotive repair, mortuary, commercial and industrial uses; therefore, staff is in support of this Site Development Plan Review request.

## **Site Plan**

The applicant proposes a 14,771 square-foot, two-story structure including a Crematory, to expand operations within an existing Crematory, Mortuary and Cemetery complex. The building design makes use of the natural grade of the site. The building will be situated adjacent to the existing Crematory on the site. In addition, the applicant proposes to relocate an existing 4,250 square-foot garage from the general vicinity of the proposed preparation building to the southern portion of the property near the employee parking lot.

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The property has a significant grade difference on it which slopes from the southwest to the northeast of the site. The applicant proposes to add a gated employee and service entrance access point to the north end of the site at Foremaster Lane. The rear portion of the site will be secured by a gate and existing and proposed exterior walls. The front of the building will have a shared entry with the existing Mortuary and Cemetery use parking area. The proposed building will have a have a circular turn-around and no public vehicular access.

The main parking lot is accessed via the principle entry on Main Street, however the facility is not proposed to have significant public access and the primary users of the facility will be the employees who will enter and exit from the grounds via the Foremaster Lane gated entry.

### **Parking**

The parking provided for a development of this nature, a Crematory facility, is determined on the basis of one space per four fixed seats or one space per 100 square feet of assembly area, whichever is greater. The existing Mortuary has 9,121 square feet of assembly area and therefore would require 92 spaces; additionally the Crematory use would independently require one space per employee on the largest shift. The applicant has indicated that 15 employees will work on the largest shift and 26 employee parking spaces have been provided. The 220 parking spaces provided are more than adequate for a Crematory, Mortuary, Cemetery complex of this size. The site plan indicates that 194 parking spaces will be provided within the existing surface parking lot, which the applicant proposes to restripe to meet current Title 19 standards. A total of 26 spaces will be provided in the employee parking area. Adjacent to the proposed crematory, a parallel handicap van accessible space will be located at the east side of the building. The parking spaces provided exceed the minimum requirements for an installation of this size.

The employee parking lot is accessed from the northern entrance off of Foremaster Lane. This entry will also be utilized as a service entry for the site and the single loading area will be on the eastern side of the building. The proposed parking area landscaping will include two landscaped islands to be added within the employee parking area.

### **Landscaping**

No landscaping is proposed along the Foremaster Lane entry, nor along the northern boundary of the property. Landscaping is proposed along the eastern boundary of the property and on the interior of the site via a large landscaped escarpment created by the grade change of the site. The 34 trees included in the landscaped areas include Bottle Tree, Fan Tex Ash, Chinese Pistache, and Thornless Texas Honey Mesquite. The 171 proposed 5-gallon shrubs and groundcover plants consist of Purple Hopseed Bush, Redtip Photinia, Chaparral Sage, Autumn Sage, Texas Ranger and Trailing Lantana. The applicant also proposes to use decomposed granite, river rock and granite boulders throughout the landscape areas.

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### **Elevations/Floor Plan**

The topography of the site will allow an at grade entry for both floors of the two story structure. The applicant proposes an exposed beige concrete block exterior with two courses of fluted concrete block near the roofline of the structure.

The first floor of the structure is approximately 6,840 square feet and has an entry from the eastern side of the building. The floor is comprised primarily of an embalming room, autopsy room and a 3,048 square-foot refrigeration room.

The 7,931 square-foot second floor includes a 450 square-foot crematory room, a 450-square foot refrigeration room, a 1,473 square-foot dressing room, a 932 square-foot mortuary dressing room and a 527 square-foot receiving area. The remaining 2,817 square feet is used for office, employee break room, restroom, corridor and staircases.

### **FINDINGS (SDR)**

The following findings must be made for an SDR:

**1. The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with the existing Mortuary use on the subject site, and also the surrounding area. Securing a presently undeveloped parcel will benefit the adjacent properties in the area and the proposed development is compatible with the surrounding properties.

**2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development and use is consistent with uses allowed by the PF (Public Facilities) General Plan designation and the C-V (Civic) zoning. Title 19.06.020 stipulates that the development standards for a project in a C-V (Civic) district shall be established upon approval of a Site Development Plan Review, and that setback and other standards are not automatically applied. As this project is a proposed expansion of an existing use within the C-V (Civic) District, development standards shall be established via this Site Development Plan Review.

**3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

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The two main points of entry to the site will be from Main Street via the existing driveways on the site and via a new driveway on the Foremaster Lane side which will be restricted to employee and service use only. Foremaster Lane is designated a 60-foot Local Roadway and Main Street is designated as an 80-foot Secondary Collector by the Master Plan of Streets and Highways. Both of these roadways can accommodate the minimal traffic the proposed development will generate.

**4. Building and landscape materials are appropriate for the area and for the City;**

The proposed building materials and landscaping materials are suitable for the subject site and the surrounding area. The proposed development will be an enhancement to the undeveloped portion of the subject site and will be a positive addition to the area.

**5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed building elevations are consistent with other existing buildings on the subject site and those in the surrounding area. The design makes use of the natural topography of the site to make use of a difficult to develop parcel. The proposed structures are not obnoxious in character and are harmonious and compatible with surrounding area.

**6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The location and configuration of the undeveloped portion of the site it could become an attractive nuisance for homeless in the area as well as an area for possible illegal activities, thus development of this site is in the interest of public health and safety. The facility will be subject to State of Nevada, Southern Nevada Health District and City of Las Vegas regulation and inspection. Public health and safety will not be adversely impacted by the proposed development.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT**      6

**SENATE DISTRICT**      4

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**NOTICES MAILED**            160

**APPROVALS**                    0

**PROTESTS**                     0