



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 17, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-28619 - APPLICANT/OWNER: GGP MEADOWS MALL,
LLC

**** CONDITIONS ****

The Planning Commission (4-0 vote) recommends DENIAL. Staff recommends APPROVAL subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Auto Dealer Inventory Storage use.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (U-0030-01) and Site Development Plan Review (SDR-28618) shall be required, 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

This is a request for a Major Amendment to an approved Special Use Permit (U-0030-01) for a 55,014 square-foot expansion of an existing 178,080 square-foot Auto Dealer Inventory Storage lot at 4300 Meadows Lane.

In addition to this request, the applicant has submitted as companion items a Site Development Plan Review (SDR-28618) for an existing 233,094 square-foot Auto Dealer Inventory Storage lot to allow barbed wire along the north perimeter with a Waiver to allow a zero-foot landscape buffer along the north perimeter where eight feet is required and a Required Two Year Review (RQR-29073) of an approved Special Use Permit (U-0030-01) for Auto Dealer Inventory Storage at the subject property.

The existing Auto Dealer Inventory Storage has been in operation at the subject site for seven years without major incident occupying a 5.35 acre portion of a 10.29 acre site. Staff finds that the proposed 55,014 square-foot expansion of the existing use will have little impact on the surrounding properties and the on site Regional Mall, therefore approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/02/01	The City Council approved a Special Use Permit (U-0030-01) for Auto Dealer Inventory Storage at 4300 Meadows Lane. The Planning Commission and staff recommended approval of this request.
11/03/04	The City Council approved a Special Use Permit (SUP-4807) for a 51-foot high, 14-foot x 48-foot Off-Premise Advertising (Billboard) sign at 4300 Meadows Lane. The Planning Commission and staff recommended approval of this request.
06/09/05	A request to Amend a portion of the Southeast Sector Plan of the General Plan (GPA-6221) from SC (Service Commercial) to GC (General Commercial) on 10.38 acres adjacent to the northwest corner of Valley View Boulevard and Meadows Lane was withdrawn without prejudice by the Planning Commission. Staff recommended denial of this request.
07/20/06	A Code Enforcement citation (#44719) was issued against the subject property for noise violation due to an automobile tent sale on site playing loud music. This case was resolved 08/04/06.

12/14/07	The Planning and Development Department conducted an annual inspection of the approved Special Use Permit (U-0030-01) for the subject property. The inspection revealed that a majority of the required trees and shrubs on site were either dead or cut down, and that the Auto Dealer Inventory Storage use had expanded to the adjacent parcel to the north. A corrective letter was sent requesting compliance with the approved plans by 01/14/08.
01/24/08	The Planning and Development Department met with the representatives of the subject property on site to discuss landscape issues. The representative was advised of the required landscape, given an opportunity to submit revised landscape plans and an additional 30 days for compliance was given. After 30 days had passed without any response or action by the property owner, this matter was turned over to Code Enforcement 02/25/08.
02/26/08	A Code Enforcement citation (#62695) was issued against the subject property for failing to comply with the approved on-site landscape plans. This case is still open.
08/14/08	The Planning Commission recommended denial of companion items RQR-29073 and SDR-28618 concurrently with this application. The Planning Commission voted 4-0 to recommend DENIAL (PC Agenda Item #44/dc).

Related Building Permits/Business Licenses

There are no building permits related to the Auto Dealer Inventory Storage use on site.

Pre-Application Meeting

04/18/08	A pre-application meeting was held with the applicant to discuss the current state of the subject property, and what items were needed to bring the site into compliance with the requirements of the Planning and Development Department. It was determined at this meeting that a Major Modification to an approved Special Use Permit and a Site Development Plan Review would need to be submitted.
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05/07/08	An additional pre-application meeting was held with a second representative of the subject property in order to explain the elements discussed at the original pre-application meeting.
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Neighborhood Meeting

A neighborhood meeting was not held, nor was one required.

Field Check

07/10/08	Staff performed a field check at the subject property. The Auto Dealer Inventory Storage lot was noted as operational on both the existing and proposed expansion areas. Mature Oleander shrubs were noted on the west and east perimeters of the chat paved lot, and numerous tree stumps and dead shrubs were observed along the south and west perimeters. A chainlink fence with barbed wire was noted along the north perimeter adjacent to U.S. 95, as well as a landscape buffer containing only bare earth. Additionally, a large amount of debris and weeds were noted within the perimeter landscape buffers.
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Details of Application Request	
Site Area	
Gross Acres	10.29

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automobile Dealer Inventory Storage Lot	SC (Service Commercial)	C-1 (Limited Commercial)
North	U.S. 95 Freeway	Right-of-Way	Right-of-Way
South	Elementary School, Single-Family Residences	PF (Public Facilities) and L (Low Density Residential)	C-V (Civic) and R-1 (Single Family Residential)
East	Regional Shopping Mall	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140-Foot)	X		Y*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The subject property is located within the North Las Vegas Airport Overlay within the 140-foot height limitation contour. There are no structures or buildings on site which will encroach within this height limitation.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Dealer Inventory Storage		No additional parking required beyond that which is required for the principal use on site					
Regional Mall (Principal Use on Site)	1,153,159 SF	1 space / 250 GFA	4,556	57	Not Indicated		
TOTAL			4,613		5,188		Y*

* The amount of standard and handicapped parking spaces for the principal use on site was not indicated on the parking analysis provided; only a total of all on site parking spaces. This specific information will not be required from the applicant as the Auto Dealer Inventory Storage does not remove any existing or proposed handicapped parking spaces from the subject site.

ANALYSIS

Pursuant to Title 19.18.050, this is a request for a Major Amendment to an approved Special Use Permit to allow for a 55,014 square-foot expansion of an existing 178,080 square-foot Auto Dealer Inventory Storage lot at 4300 Meadows Lane. The expansion area will remove 216 parking spaces from the existing 5,188 provided parking space of the onsite Regional Mall. This will leave 4,972 parking spaces remaining where 4,613 parking spaces are required, which will have little impact on the required parking of the existing Regional Mall. The use has been in operation at the subject site since 2001 occupying an adjacent 178,080 square-foot area with minor impact on the adjacent land uses; therefore staff recommends approval of this request.

- **Zoning**

This project is located within a C-1 (Limited Commercial) zoning district. This 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 intersection of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the SC (Service Commercial) category of the General Plan.

- **Use**

An Auto Dealer Inventory Storage use is defined by Title 19 as the parking or storage, other than for purposes of display, of new motor vehicles which constitute inventory of a new motor vehicle sales dealership, where such parking or storage is maintained by the dealership either on the same parcel as the dealership or on a separate parcel.

- **Minimum Special Use Permit Requirements:**

1. All areas used for the parking or storage of vehicles shall be paved.
2. Stored vehicles shall be effectively screened so as not to be visible from adjoining properties or rights-of-way.
3. The parcel must be located on a primary or secondary thoroughfare, or on a parcel that is adjacent to an accessed through a parcel located on a primary or secondary thoroughfare.
4. Lighting shall be shielded from adjacent properties.
5. The use shall not occupy or interfere with any parking spaces that are required for the dealership use or any other existing or proposed use for which required parking is or will be provided on site. For commercial or industrial sites 15 acres or greater in size, the use may occupy up to 50 percent of the parking area that is provided in excess of the parking that is required by this Table Two for other uses.

The expansion of the Auto Dealer Inventory Storage use at the subject property meets the minimum Special Use Permit requirements. A Site Development Plan Review (SDR-28618) to be heard concurrently with this item will determine the necessary screening and landscape requirements for the site.

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 expansion of an existing Auto Dealer Inventory Storage facility can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future uses as projected by the General Plan. Proper landscape buffering per Title 19.12 standards will allow this use to act as a quiet and unobtrusive neighbor to the surrounding properties.

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

The subject site is physically suitable for the type and intensity of land use proposed. The site has been in operation as an Auto Dealer Inventory Storage facility since 2001 without major incident or impact to the adjacent properties as well as without impact to the existing Regional Mall.

- 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 site is accessed from Valley View Boulevard, and 80-foot Secondary Collector and Meadows Lane, a Local Street, as classified by the Master Plan Streets and Highways, which can adequately support 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 approval of this Special Use Permit will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan. The proposed expansion is consistent with the SC (Service Commercial) General Plan designation.

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

The proposed use conforms with the Minimum Special Use requirements for a Auto Dealer Inventory Storage.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 342 by City Clerk

APPROVALS 0

PROTESTS 5