



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 5, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-29649 - APPLICANT/OWNER: PALM MORTUARY, INC.

**** 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 Crematory use, including parking requirements.
2. Conformance to the conditions for Site Development Plan Review (SDR-29648) if approved.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Special Use Permit for a Crematory on the property located at 1325 North Main Street, to be operated in conjunction with an existing Crematory, Cemetery and Mortuary on that site. The applicant is also requesting a related Site Development Plan Review (SDR-29648) proposing a 14,771 square-foot crematorium building at an existing mortuary and cemetery facility at 1325 North Main Street. The proposal is compatible with the existing uses on the site and the surrounding area, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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.
10/09/08	The Planning Commission recommended approval of companion item SDR-29648 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/leh).
<i>Related Building Permits/Business Licenses</i>	
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.

08/20/03	Permit (#95383898) for a monument sign was issued at 1325 North Main Street. The project was completed on 09/25/03.
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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.
<i>Pre-Application Meeting</i>	
08/13/08	The requirements for Special Use Permit and Site Development Plan Review applications were discussed with the applicant.
<i>Neighborhood Meeting</i>	
A meeting was not required, nor was one held.	
<i>Field Check</i>	
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.

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
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)
West	Paiute Indian Smoke Shop	GC (General Commercial); PF (Public Facility)	R-5 (Apartment); C-V (Civic); C-2 (General Commercial); M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
C-V Civic District	X		Y
Downtown North Land Use Plan	X		Y
A-O Airport Overlay District (200 feet)*	X		Y
Trails (Pioneer Trail)	X		Y**
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 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

Landscaping and Open Space Standards	Provided
Parking Area	15 Trees
Buffer: Min. Trees	22 Trees (24-inch box trees in various groupings)
TOTAL	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:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Base Parking Requirement	Base Parking Requirement		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
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
TOTAL (including handicap)			96		220		Y

*Including one van accessible space.

ANALYSIS

The applicant is requesting a Special Use Permit for a Crematory on the property located at 1325 North Main Street, to be operated in conjunction with an existing Crematory, Cemetery and Mortuary on that site. The applicant is also requesting a related Site Development Plan Review (SDR-29648) proposing a 14,771 square-foot crematorium building at an existing mortuary and cemetery facility at 1325 North Main Street.

Zoning

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.

Use

The proposed site Special Use Permit for a Crematory 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 properties, 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.

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 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.

FINDINGS (SUP)

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 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 fits in well with 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 this type and intensity of land use. There is an existing cemetery, mortuary and crematory on the site and this application represents an expansion of that use which has been conducted on that site for many years with no negative impact to the area.

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 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. 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 is consistent with the General Plan for the subject site and compatible with the surrounding uses in the area.

5. The use meets all of the applicable conditions per Title 19.06.

The use meets all of the 19.04 and 19.06 conditions for the Crematory use. Title 19.04 special conditions for the use are:

1. All operations shall be within a completely enclosed building.
2. There shall be no audible or noticeable indication of the use outside of the building.
3. All structures shall be set back 100 feet from any residential use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 53 by City Clerk

APPROVALS 0

PROTESTS 0