



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: DECEMBER 4, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-30442 - APPLICANT/OWNER: YONG H. JUNG**

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

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

**Planning and Development**

1. Conformance to the conditions for Variance (VAR-16165), if approved.
2. The handicap accessible parking space shall be re-striped within 30 days of approval of this Required Review to meet the minimum requirements of LVMC Title 19.10.

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

**PROJECT DESCRIPTION**

This is a required six-month review of an approved Variance (VAR-16165) to allow seven (7) parking spaces where 13 parking spaces are the minimum required on 0.19 acres at 505 South Decatur Boulevard. Staff has no objections to this request for a Required Review.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
11/20/91	The City Council approved a request for the reclassification of property (Z-0090-91) located at 4725 Lorna Place from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed Insurance Agency. The Planning Commission recommended approval on 10/22/91.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request for Rezoning (Z-0055-99) on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive from C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single family Residential) to C-1 (Limited Commercial) for a proposed 15,332 square-foot Drug Store. The Planning Commission recommended denial on 10/28/99.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request for a Site Development Plan Review [Z-0055-99(1)] on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive for a proposed Drug Store. The Planning Commission recommended denial on 10/28/99.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request for a Special Use Permit (U-0098-99) on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive for the sale of Packaged Liquor in conjunction with a proposed 15,332 square-foot Drug Store. The Planning Commission recommended denial on 10/28/99.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request to Amend a portion of the Southeast Sector of the general Plan (GPA-0028-99) for properties located on the southeast corner of Decatur Boulevard and Alta Drive from L (Low Density Residential) and SC (Service Commercial) to SC (Service Commercial). The Planning Commission recommended denial on 10/28/99.
11/15/06	A Code Enforcement case (48026) was processed for vehicles for sale on a vacant lot at 505 South Decatur Boulevard. The case was closed on 11/29/06.

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01/17/07	The City Council approved a request for a Variance (VAR-16165) to allow 7 Parking spaces where 13 parking spaces are the minimum required on 0.19 acres at 505 South Decatur Boulevard. The Planning Commission recommended approval on 10/05/06.
11/12/08	A Code Enforcement case (71733) was processed for illegal signage at 505 S. Decatur Boulevard. The case is pending.
<b><i>Related Building Permits/Business Licenses</i></b>	
12/02/91	A building permit (91127634) was issued for paving at 505 South Decatur Boulevard. The permit was finalized on 04/17/92.
12/18/91	A building permit (91129915) was issued for paving and landscaping at 505 South Decatur Boulevard. The permit was finalized on 04/17/92.
04/20/07	A building permit (7001374) was issued for parking lot onsite and hardscape. The permit was finalized on 06/27/07.
05/07/07	A business license (H13-00193) was issued for the sale of Health/Medical Supplies at 505 South Decatur Boulevard. The license is still active.
05/07/07	A business license (Q07-00045) was issued to a Medical Office (Chiropractic Clinic) at 505 South Decatur Boulevard. The license is still active.
08/30/07	A business license (Q07-01405) was issued to a medical Office (Acupuncture) at 505 South Decatur Boulevard. The license is still active.
<b><i>Pre-Application Meeting</i></b>	
A pre-application meeting is not required for this type of application, nor was one held.	
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	
<b><i>Field Check</i></b>	
10/29/08	Staff conducted a field inspection and noted that the handicap parking space is not properly marked according to Title 19.10. A triangular wooden sign is placed on property at the corner of Lorna Place and Decatur Boulevard, there is a wall sign on the chimney of the building, and there is a banner on the side of the building advertising the types of services. These signs have not been permitted in accordance with LVMC Title 19.14.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.19

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Office	O (Office)	P-R (Professional Office and Parking)
North	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
South	Offices	O (Office)	P-R (Professional Office and Parking)

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East	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Minor Auto Repair Garage	SC (Service Commercial)	C-2 (General Commercial)

<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
A-O Airport Overlay District (175 feet)	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

## DEVELOPMENT STANDARDS

*Per 19.08.050, the following standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	0.19 Acres	Y
Min. Lot Width	60 Feet	63 Feet	Y
Min. Setbacks:			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	8 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	15 Feet	34 Feet	Y
Max. Lot Coverage	50 %	29 %	Y
Max. Building Height	2 stories/35 feet	1 story/15 feet	Y

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

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area</i>	<i>Required Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			Regular	Handi-capped	Regular	Handi-capped	
Medical Office	2,411 Square Feet	One space for each 200 SF of GFA up to 2,000 SF, plus one space for each additional 175 SF.	12 Spaces	1 Space	6 Spaces	1 Space	Y*

SG

TOTAL			13 Spaces	7 Spaces	Y*
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Deviation			54%		
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*\*A Variance (VAR-16165) was approved to allow seven parking spaces where 13 are required.*

**ANALYSIS**

This is the first Required Review of a Variance (VAR-16165) to allow seven parking spaces where 13 are required at a Medical Office located at 505 S. Decatur Boulevard. A field check of the subject site was conducted to determine compliance with the Conditions of Approval for the original Variance (VAR-16165) and LVMC Title 19. The Conditions of Approval have been met in that a landscaping plan, including an irrigation system, was submitted and approved by the Planning and Development Department, and installed according to the plan. The Variance was exercised with the issuance of business licenses (H13-00193 and Q07-00045) for the accessory sale of Health / Medical Supplies and a Medical Office, respectively, on 05/07/07. There were some non-permitted signs (one freestanding sign, a wall sign and a temporary banner) located on site that have been referred to the City of Las Vegas Code Enforcement division. The handicap accessible parking space does not meet the minimum requirements of Title 19.10 and is not marked as shown in the plan approved by Variance (VAR-16165); a condition has been added to re-stripe the space within 30 days to meet these requirements.

**FINDINGS**

The subject site was determined to be in substantial compliance with the Conditions of Approval for the original Variance (VAR-16165) and LVMC Title 19, with exceptions as noted. A condition has been added to ensure that the handicap parking space meets the minimum standards of Title 19 within 30 days of this Required Review, if approved. Staff recommends approval of this request.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 17

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 11

**NOTICES MAILED** 186

**APPROVALS** 0

