



## AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 3, 2008  
DEPARTMENT: PLANNING AND DEVELOPMENT  
ITEM DESCRIPTION: SUP-29936 - APPLICANT: RICHARD W BRAUNERSRITHER -  
OWNER: STAN QUOCK

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

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

#### Planning and Development

1. One (1) year administrative review from the date of final approval by the City Council.
2. Conformance to all minimum requirements under LVMC Title 19.04.010 for Automotive Repair Garage, Major use, including parking requirements.
3. Conformance to the conditions for Site Development Plan Review (SD-0016-98) if approved.
4. Per conditions of approval from Site Development Plan Review (SD-0016-98) there is to be no vehicular access to Michael Way. A crash gate to allow emergency vehicles to enter the site is required.
5. 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.
6. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.
7. 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 for an Automotive Repair Garage, Major on a 1.67 acre site at 3405 North Rancho Drive, Suite #170. The applicant proposes to convert an existing Automotive Repair Garage, Minor to an Automotive Repair Garage, Major use. The subject site is an appropriate location and parking requirements will not change; therefore, staff recommends approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
06/11/98	The Planning Commission approved a Site Development Plan Review (SD-0016-98) for a 15,660 square-foot minor auto repair facility.
08/16/06	The City Council approved a request for a Special Use Permit (SUP-13876) for Auto Repair Garage, Major at 3425 North Rancho Drive, Suite #180. The Planning Commission and staff recommended approval.
11/09/08	<a href="#">The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #22/leh).</a>
<b><i>Related Building Permits/Business Licenses</i></b>	
08/16/94	A business license (G02-00834) was issued for the subject Automotive Repair Garage, Minor business at 3405 North Rancho Drive, Suite #170 (Super Tech Services). An application to reclassify the license to Automotive Repair Garage, Major business was received on 10/20/08 and is pending the approval of this application.
10/05/00	A business license (G03-02275) was issued for an Automotive Repair Garage, Major business at 3405 North Rancho Drive, Suite #180 (Auto Performance Upgrade).
12/20/00	A business license (G03-02358) was issued for an Automotive Repair Garage, Major (Accessory Installation) business at 3405 North Rancho Drive, Suite #130 (Vintage Dynamic).
07/16/01	A business license (#B10-02024) was issued for a Building Supply and Materials business at 3425 North Rancho Drive, Suite #110. Business license (A39-00161) reclassified to Automotive (Accessory Installation) (Solar Controller).
08/30/01	A business license (#G02-00698) was issued for an Automotive Repair Garage, Minor (Dads Garage) at 3425 North Rancho Drive, Suite #120.
10/22/01	A business license was issued for a Custom & Craft Work business (#D08-01708) at 3405 North Rancho Drive, Suite #120 (Rancho Upholstery).
10/22/02	A business license (#M01-07682) was issued for a Building Maintenance Sales and Service business at 3405 North Rancho Drive, Suite #110 (Chem Dry).

03/21/07	A business license (G03-02358) was issued for an Automotive Repair Garage, Major business at 3425 North Rancho Drive, Suite #180 (Millennium Auto Care Inc.).
<b>Pre-Application Meeting</b>	
07/29/08	The requirements for an application for a Special Use Permit for an Automotive Repair Garage, Major were discussed with the applicant.
<b>Neighborhood Meeting</b>	
A meeting was not required, nor was one held.	
<b>Field Check</b>	
10/17/08	Staff conducted a site visit of the subject site and found it to be occupied and operating. An unpermitted banner was found on site, as well as vehicles offered for sale. Per conditions of approval from Site Development Plan Review (SD-0016-98) there is to be no vehicular access to Michael Way. A crash gate to allow emergency vehicles to enter the site is required. Staff observed and photographed the rear gate to Michael Way open and in use for public vehicular ingress and egress to the site.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	1.67

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Repair Center	GC (General Commercial)	C-2 (General Commercial)
North	Undeveloped/Fast Food Establishment	GC (General Commercial)	C-2 (General Commercial)
South	Tavern	GC (General Commercial)	C-2 (General Commercial)
East	Shopping Center	GC (General Commercial)	C-2 (General Commercial)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	N/A
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District (70-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 70-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><i>Parking Requirement</i></b>							
<b><i>Use</i></b>	<b><i>Gross Floor Area or Number of Units</i></b>	<b><i>Parking Ratio</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>		<b><i>Compliance</i></b>
			<b><i>Parking</i></b>		<b><i>Parking</i></b>		
			<b><i>Regular</i></b>	<b><i>Handi-capped</i></b>	<b><i>Regular</i></b>	<b><i>Handi-capped</i></b>	
Automotive Repair Garage, Major	5,120 SF	5 + 1:200 SF	29	2	30	2	N*
Automotive Repair Garage, Minor	5760 SF	5 + 1:200 SF	32	2	32	2	N*
Automotive (Accessory Installation)	1,280 SF	5 + 1:200 SF	12		10		N*
Building Maintenance Sales and Service	1,280 SF	1:300 SF	5		8		N*
Custom & Craft Work	2,560 SF	1:500 SF	6				N*
<b>SubTotal</b>	16,000		84	4	80	4	N*
<b>TOTAL</b>			88		84		N*

\*The proposed use is not providing adequate parking per current Title 19.10 standards. However, the original Site Development Plan Review (SD-0016-98) that approved the use required only 75 spaces where 76 were provided. As such, the development is parking impaired and would not require a Variance. The proposed use will not add parking spaces to the number required, thus having no effect on current parking numbers.

**ANALYSIS**

The existing 2,560 square-foot Automotive Repair, Minor business establishment is located within a two building 16,000 square-foot automotive repair complex. The applicant proposes to convert an existing Automotive Repair Garage, Minor to an Automotive Repair Garage, Major use.

The existing Automotive Repair Garage, Minor has been in operation since August of 1994, and in operation at the subject site since it was opened to tenants in 1999. As the subject site contains similar uses and does not intensify the parking requirements set forth by an approved Site Development Plan Review (SD-0016-98). Staff finds the proposed use to be compatible with the surrounding land use. Furthermore, staff finds the use to be conducted in a harmonious manner and therefore, staff recommends approval.

### **Land Use**

The subject site is within a commercial area along Rancho Drive and has the GC (General Commercial) General Plan designation and a C-2 (General Commercial) zoning.

General Commercial allows retail, services wholesale, office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used care sale recreational vehicle and boat sales, car body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses. The General Commercial category allows Service Commercial uses.

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. The current and proposed use of the site is compatible with the General Plan and zoning designation for the site.

### **USE**

Title 19.04 defines the Automotive Repair Garage, Major use as:

A facility for the repair or recondition of any type of motorized vehicle, other than the types of repair and service authorized to be performed in a minor auto repair garage. This use includes a facility which performs any repairs to vehicles with a gross weight over 10,000 pounds.

Minimum Special Use Permit Requirements:

1. All repair and service work shall be performed within a completely enclosed building. All windows and doors shall be completely closed when body and fender work, hammering, sanding or other noise-generating activities are being performed.
2. No used or discarded automotive parts or equipments shall be located or stored in any open area outside of the enclosed building.

3. Openings to the service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.
4. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.
5. Outdoor hoists are prohibited.
6. All hazardous materials resulting from the repair storage or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.
7. No vehicle may be parked on the premises for the purposes of offering the vehicle for sale.
8. Outdoor bells and loudspeakers are prohibited.

This application meets all of the Title 19.04 requirements for the proposed use. The subject site is an appropriate location, as its intended use was that of an Automotive Repair Center. This establishment and the surrounding area will not be negatively impacted as a result of this request.

### **Floor Plan**

The 2,560 square-foot facility has four 12-foot bays, two restrooms and an office. In addition to the bays there are two doorway entries to the establishment on the northern side of the building. There are no entries on the south side of the building.

### **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 has conducted an Automotive Repair Garage, Minor business within the subject commercial center since 1999 without major incident or disturbance to the surrounding area. The parking requirements of the proposed use do not increase. Staff finds that the use can be conducted at the subject location in a manner that is harmonious and compatible with the surrounding area.

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

The subject site is suitable for the type and intensity of the proposed land use. The existing uses within the subject complex are compatible with 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 primary access to the site is from a single driveway off of Rancho Drive, which is identified by the Master Plan of Streets and Highways as a 100-foot Primary Arterial. This roadway 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 subject site 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 use meets all of the Title 19.04 conditions.

**PLANNING COMMISSION ACTION**

The Planning Commission added condition #1 as shown.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 176 by City Clerk

**APPROVALS** 0

**PROTESTS** 2