



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 18, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-32815 - APPLICANT: SUPER BAIL BONDS, INC. -
OWNER: HARRISON PROPERTIES, LTD

**** 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 a Bail Bonds use, including parking requirements.
2. 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.
3. All signage must adhere to the Las Vegas Boulevard Scenic Byway Signage Overlay standards.
4. No temporary signage such as; banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining items or devices shall be displayed upon the subject property without appropriate permits.
5. 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 a 645 square-foot Bailbond Service use at 729 South Las Vegas Boulevard. The site is accessed from Las Vegas Boulevard, a (100-foot) wide Primary Arterial and an alley way. Two buildings exist on the subject site, which total 6,382 square feet. The proposed Bailbond Service use will be located in a building, which is located adjacent to Las Vegas Boulevard. The first of the two buildings is currently vacant. The first building consists of 4,662 square feet. The second of the two buildings is located at the rear of the property. The second building consists of 1,720 square feet. 500 square feet of the second building is currently occupied by a Tattoo Parlor/Body Piercing Studio, while the remainder of the building is being used as office and storage. The proposed Bailbond Service use complies with Title 19, General Plan requirements and all other applicable plans and can be conducted in a compatible manner with the surrounding development and land uses; therefore staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/28/89	The Board of Zoning Adjustment approved a Special Use Permit (U-0141-89) for a Secondhand Dealer at 725 South Las Vegas Boulevard.
02/12/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/bts).
<i>Related Building Permits/Business Licenses</i>	
1948	The County Assessors Office indicates a construction date of 1948 for the building located at 731 South Las Vegas Boulevard.
09/17/86	A Building Permit (#0951) was issued for a re-roof at 725 South Las Vegas Boulevard. The permit was finalized on 05/18/87.
12/11/89	A Business License (#S26-00003) was issued for a Secondhand Dealer Class III-A at 729 South Las Vegas Boulevard. The license was marked out on 07/07/08.
03/15/90	A Building Permit (#M-0497-90) was issued for a wall sign at 729 South Las Vegas Boulevard. The permit was marked as inactive on 11/18/92.
04/04/90	A Building Permit (#90063331) was issued for a service change at 731 South Las Vegas Boulevard. The permit was marked as inactive on 11/18/92.
01/17/92	A Building Permit (#M-0331-92) was issued for temporary power at 731 South Las Vegas Boulevard. The permit was marked as inactive on 11/18/92.
07/22/96	A Building Permit (#L-2736-96) was issued for an HVAC system at 729 South Las Vegas Boulevard. The permit expired on 01/18/97.
02/23/00	A Building Permit (#L-0114-00) was issued to replace three lavatories and add one lavatory and associated plumbing at 731 South Las Vegas Boulevard. The permit expired on 02/29/00.

03/17/00	A Building Permit (#L-1863-00) was issued for a sign at 731 South Las Vegas Boulevard. The permit was finalized on 03/28/00.
08/21/00	A Building Permit (#L-3710-00) was issued for a re-roof at 731 South Las Vegas Boulevard. The permit expired on 02/17/01.
11/26/01	A Building Permit (#L-5993-01) was issued for rehabilitation to the windows and stucco work at 727 South Las Vegas Boulevard. The permit was finalized on 12/21/01.
12/10/01	A Building Permit (#L-4884-01) was issued for window awnings at 725 South Las Vegas Boulevard. The permit was finalized on 05/08/02.
02/06/04	A Business License (#B21-00005) was issued for Body Piercing at 731 South Las Vegas Boulevard. The license remains active.
02/06/04	A Business License (#J01-01794) was issued for Jewelry Sales and Repair at 731 South Las Vegas Boulevard. The license remains active.
02/06/04	A Business License (#T08-00047) was issued for a Tattoo Parlor/Body Piercing Studio at 731 South Las Vegas Boulevard. The license remains active.
08/26/05	A Business License (#A39-00342) was issued for Auto Parts at 725 South Las Vegas Boulevard. The license was marked out on 05/05/06.
<i>Pre-Application Meeting</i>	
12/11/08	Staff met with the applicant and reviewed the requirements for a Special Use Permit (Bailbond Service use) application.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application nor was one held.	
<i>Field Check</i>	
01/05/09	A field check was completed on the indicated date. There are two buildings located on the subject site. The building located closest to Las Vegas Boulevard is currently vacant and is the location for the proposed Bailbond Service use. The building located at the rear of the site is currently occupied by a Tattoo Parlor/Body Piercing Studio and additional vacant space. A sign and barbed/razor wire were also indicated on the subject property. No building permits or encroachment agreements were found for the subject sign and the barbed/razor wire. A letter was sent to Code Enforcement on 01/13/09.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.15 acre

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Tattoo Shop and Vacant Space	MXU (Mixed Use)	C-2 (General Commercial)
North	Parking Lot	MXU (Mixed Use)	C-2 (General Commercial)

South	Bailbond	MXU (Mixed Use)	C-2 (General Commercial)
East	Office	MXU (Mixed Use)	C-1 (Limited Commercial)
West	City of Las Vegas Development Service Center	PF (Public Facilities)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		
Downtown Centennial Plan			Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District Las Vegas Boulevard District	X		N/A
Live/Work Overlay District	X		N/A
Las Vegas Boulevard Scenic Byway Overlay District	X		N/A
Trails Scenic Byway Overlay Trail	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Redevelopment Plan Area The subject site is located within the boundaries of the Las Vegas Redevelopment Plan Area. The proposed use is in conformance with the Redevelopment Plan goals and policies.

Downtown Overlay District The subject site is located within the boundaries of the Downtown Overlay District. Specifically, the site is located within the Las Vegas Boulevard District of the Downtown Centennial Plan. The proposed use meets the intent of the Las Vegas Boulevard District.

Live Work Overlay District The subject site is located within the boundaries of the Live/Work Overlay District. The applicant is not proposing a Live Work development.

Las Vegas Boulevard Scenic Byway Overlay District The subject site is located within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay District. Title 19.06 Special Purpose and Overlay Districts requires that all development within the Las Vegas Boulevard Scenic Byway Overlay District, at least 75% of the total sign surface areas for that development must consist of illuminated signage, in the form of neon sign, animated signs, or a combination thereof. A condition of approval has been added to the report, which will require compliance with this requirement, upon issuance of a building permit for signage.

Scenic Byway Trail The subject site is adjacent to the Scenic Byway Trail. The Scenic Byway Trail was adopted as a part of General Plan Amendment (GPA-5015) in November of 2004. This Urban Trail is located along both sides of Las Vegas Boulevard between Washington Avenue and Sahara Avenue.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Building A							
Bailbond Service	645 SF	1:250 GFA	3				
Office, other than listed (vacant)	4,017 SF	1:300 GFA	14				
Building B							
Tattoo Parlor/Body Piercing Studio	500 SF	1:250 GFA	2				
Office, other than listed	1,220 SF	1:300 GFA	5				
TOTAL (Buildings A and B)	6,382 SF		24	1	39*	0*	N*

* The subject site is located within the Las Vegas Downtown Centennial Plan area, which is not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc. There are no parking spaces on the subject site, but there are 39 parking spaces in a parking lot, adjacent to the subject site. The subject site, parking lot, and the pawn shop, which is located north of the parking lot are all owned by the same property owner.

ANALYSIS

This is a request for a Special Use Permit for a 645 square-foot Bailbond Service use located at 729 South Las Vegas Boulevard. The site is accessed from Las Vegas Boulevard, a (100-foot) wide Primary Arterial and an alley way. There are two buildings located on the subject site. The site plan identifies the buildings as A and B. Both buildings consist of 6,382 square feet. Building A consists of 4,662 square feet, while building B consists of 1,720 square feet. The proposed Bailbond Service use will occupy a portion of building A. The proposed floor plan indicates a single office space and electrical room.

The proposed Bailbond Service use requires approval of a Special Use Permit within a C-2 (General Commercial) zoning designation. There are no minimum requirements for a Bailbond Service use. If approved, the subject application for a Special Use Permit would fulfill that requirement. The proposed Bailbond Service use meets all applicable Title 19, General Plan and all other applicable plans. Therefore, staff is recommending approval of the subject Special Use Permit.

- **Zoning**

The subject site is designated Mixed Use (Mixed Use) in the Las Vegas 2020 Master Plan. The Mixed-Use category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories.

The subject site is located within a C-2 (General Commercial) zoning district. The C-2 District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. 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 also appropriate along commercial corridors. The C-2 (General Commercial) District is compatible with the MXU (Mixed Use) land use designation.

- **Use/Conditions**

Title 19 defines a Bailbond Service use as an establishment that makes available to the public undertakings of bail in connection with judicial proceedings. A Bailbond Service use is a permitted use within the C-2 (General Commercial) district with the approval of a Special Use Permit pursuant to Title 19.04. There are no minimum requirements for a Bailbond Service use.

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 proposed use is compatible with the neighboring commercial, civic and future land uses proposed by the General Plan. Similar uses are located on adjacent properties and within the Downtown Centennial Plan area.

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

The proposed Bailbond Service use will be located within an existing building, which is partially vacant. The other building on the subject site is being utilized as a Tattoo Parlor/Body Piercing Studio. The proposed use is appropriate in the subject C-2 (General Commercial) zoning designation and is consistent with other Bailbond Service uses in 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.**

Principal access to the site is provided from Las Vegas Boulevard, a (100-foot) wide Primary Arterial as indicated on the Master Plan of Streets and Highways. An alley way also provides access to the site. The alley way is located adjacent to the east property line. Las Vegas Boulevard has sufficient capacity to accommodate 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.**

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

The proposed Bailbond Service use meets all applicable requirements as set forth pursuant to Title 19.04 requirements, as conditioned.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 275 by City Clerk

APPROVALS 0

PROTESTS 1