



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 1, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-33025 - APPLICANT/OWNER: LOCAL UNION 525

**** CONDITIONS ****

The Planning Commission (6-0-1/gt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-0113-00) and Site Development Plan Reviews (SDR-1171, SDR-2338 and SDR-33023) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 285 parking spaces where 316 are required on 4.41 acres at 750 Leigon Way. A request for a Site Development Plan Review (SDR-33023) has also been submitted for a proposed 16,000 square-foot addition to an existing 35,286 square-foot building and a proposed 22,000 square-foot building with a Waiver to allow a zero-foot landscape buffer along the east perimeter where eight feet is required. Staff is recommending approval of the request as the proposed 10% deviation is minor in nature, the required parking is calculated based on the number of staff and students at the maximum capacity for the facility, whereas classes and meetings will be staggered throughout the day, resulting in a reduced number of staff and students at the facility at any one time, and the subject site is within close proximity to bus stops located on Lamb Boulevard and Bonanza Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/11/01	The City Council approved a Rezoning (Z-0113-00) from R-E (Residence Estates) to C-1 (Limited Commercial) on 5.10 acres adjacent to the southeast corner of Harris Avenue and Legion Way. Planning Commission recommended approval.
12/05/02	The Planning Commission approved, with final action, a request for a Site Development Plan Review (SDR-1171) for a 32,580 square-foot training facility on 5.10 acres adjacent to the southeast corner of Harris Avenue and Legion Way.
06/26/03	The Planning and Development Department administratively approved a request for a Site Development Plan Review (SDR-2338) for a proposed second floor addition to an approved training facility on 5.10 acres adjacent to the southeast corner of Harris Avenue and Legion Way.
02/26/09	The Planning Commission recommended approval of companion item SDR-33023 concurrently with this application. The Planning Commission voted 6-0-1/gt to recommend APPROVAL (PC Agenda Item #41/sg).

<i>Related Building Permits/Business Licenses</i>	
03/11/03	A building permit (#3004769) was issued for a new building for certificate of occupancy at 750 Leigon Way. The permit was finalized on 10/22/03.
03/11/03	A building permit (#3004768) was issued for on-sites and hardscapes at 750 Leigon Way. The permit expired on 01/31/04.

04/04/03	A building permit (#3006733) was issued for on-site sewer/water/fire lines at 750 Leigon Way. The permit expired on 03/20/04.
07/15/03	A building permit (#3014771) was issued for a pipe trellis at 750 Leigon Way. The permit was finaled on 01/27/04.
07/25/03	A building permit (#3015967) was issued for a sign (tag #07051) at 750 Leigon Way. The permit was finaled on 02/19/04.

<i>Pre-Application Meeting</i>	
12/24/08	A pre-application meeting was held to discuss the requirements of an application for a Site Development Plan Review and parking Variance related to a building addition to an existing Trade School facility.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was neither required nor held for this application.	

<i>Field Check</i>	
01/21/09	A field check was conducted by staff. The site contains an existing union hall and training facility on the northern half of the site. The southern half of the site is vacant land surrounded by an unpermitted chain link fence topped with barb wire.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	4.41 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Union Training Facility	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Residences	SC (Service Commercial)	R-CL (Single Family Compact-Lot)
South	Union Hall and Training Facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	Union Hall	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single-Family Residences	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)

<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	N/A
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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Trade School	18 Staff members, plus 280 students	1 Space / staff member, plus 1 space / every 2 students	308	8	277	8	N*
TOTAL			316		285		N*
Percent Deviation					10%		N*

**The applicant has submitted this Variance to allow 285 parking spaces where 316 are required. The request represents a 10% deviation.*

ANALYSIS

This is a request for a Variance to allow 285 parking spaces where 316 are required on 4.41 acres at 750 Leigon Way. A request for a Site Development Plan Review (SDR-33023) has also been submitted for a proposed 16,000 square-foot addition to an existing 35,286 square-foot building and a proposed 22,000 square-foot building with a Waiver to allow a zero-foot landscape buffer along the east perimeter where eight feet is required. Staff is recommending approval of the request as the proposed 10% deviation is minor in nature, the required parking is calculated based on the number of staff and students at the maximum capacity for the facility, whereas classes and meetings will be staggered throughout the day, resulting in a reduced number of staff and students at the facility at any one time, and the subject site is within close proximity to bus stops located on Lamb Boulevard and Bonanza Road.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Title 19.18.070L states:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

Staff is recommending approval of the request as the proposed 10% deviation is minor in nature, the required parking is calculated based on the number of staff and students at the maximum capacity for the facility, whereas classes and meetings will be staggered throughout the day, resulting in a reduced number of staff and students at the facility at any one time, and the subject site is within close proximity to bus stops located on Lamb Boulevard and Bonanza Road. The Variance requested will not be detrimental to the public safety and welfare, and will not have a negative impact on traffic in the surrounding area.

PLANNING COMMISSION ACTION

There was one speaker in opposition to the Variance at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 28

SENATE DISTRICT 10

NOTICES MAILED 355 by City Clerk

APPROVALS 0

PROTESTS 1