



AGENDA MEMO

CITY COUNCIL MEETING OF: JULY 15, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-34267 - APPLICANT: WAYNE HIGDON - OWNER: LES AND STANLEY QUOCK

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Auto Repair Garage, Major use, including parking requirements.
2. Conformance to the conditions for Site Development Plan Review (SD-0016-98), if approved
3. 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.
4. 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.
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 an Auto Repair Garage, Major use at 3425 N. Rancho Drive, Suite #120. The applicant proposes to convert an existing 2,560 square-foot Auto Repair Garage, Minor use to an Auto Repair Garage, Major use. The proposed use is appropriate at this location, as it is harmonious and compatible with existing surrounding land uses and meets all applicable parking requirements; therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
06/11/98	The Planning Commission approved a Site Development Plan Review (SD-0016-98) for a 15,660 square-foot auto repair facility on property located on the west side of Rancho Dive approximately 1350 feet north of Cheyenne Avenue.
09/23/04	A deed was recorded for a change of ownership at 3405 and 3425 N. Rancho Drive.
08/16/06	The City Council approved a Special Use Permit (SUP-13876) for an Auto Repair Garage, Major at 3425 North Rancho Drive, Suite #180. The Planning Commission and staff recommended approval of the request.
12/03/08	The City Council approved a Special Use Permit (SUP-29936) for an Auto Repair Garage, Major at 3405 North Rancho Drive, Suite #170. The Planning Commission and staff recommended approval of the request.
06/11/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #35/bts).
<i>Related Building Permits/Business Licenses</i>	
02/14/00	A Building Permit (#2658) was issued for a certificate of completion at 3405 N. Rancho Drive. The permit was finaled on 08/02/00.
02/14/00	A Building Permit (#2659) was issued for a certificate of completion at 3425 N. Rancho Drive. The permit was finaled on 08/02/00.
08/04/00	A Building Permit (#14606) was issued for a non-work certificate of occupancy at 3425 N. Rancho Drive, Suite #120. The permit was finaled on 08/17/00.
06/14/05	A Business License (#G02-00698) was issued for a garage minor auto repair at 3425 N. Rancho Drive, Suite #120. The license was reclassified on 03/16/05 from G03-02334. The license is currently active.

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

<i>Pre-Application Meeting</i>	
03/30/09	The Planning and Development Department met the applicant and reviewed the requirements for a Special Use Permit application for an Auto Repair Garage, Major use. • Staff discussed other Auto Repair Garage, Minor and Major uses on the subject site. • Staff discussed compatibility with adjacent land uses. • Staff discussed minimum Special Use Permit requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
05/07/09	A field check was completed on the indicated date. The following items were noted and reported to Code Enforcement: • Numerous non-permitted temporary signs (banners) were noted on the north façade of the building; a non-permitted wooden advertising sign was noted within the landscape buffer fronting Rancho Drive. • Vehicles for sale were noted on display within the rear parking lot area fronting Michael Way. • The landscape planters along the north, south and west perimeters of the property were missing all required shrubs shown on the approved landscape plans.

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Repair Center	GC (General Commercial)	C-2 (General Commercial)
North	Retail	GC (General Commercial)	C-2 (General Commercial)
South	Retail	GC (General Commercial)	C-2 (General Commercial)
East	Retail	GC (General Commercial)	C-2 (General Commercial)
West	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

<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			
A-O Airport Overlay District (70-feet)	X		Y
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:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Repair Garage, Major	7,680 SF	5 + 1:200 SF	44	2	30	2	N
Auto Repair Garage, Minor	3,200 SF	5 + 1:200 SF	21	2	32	2	N
Auto Parts (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
TOTAL	16,000 SF		88		76		N

ANALYSIS

The applicant proposes to convert an existing 2,560 square-foot Auto Repair Garage, Minor to an Auto Repair Garage, Major use. The proposed Auto Repair Garage, Major use is located within an existing two building 16,000 square-foot commercial development. The overall development was approved as a part of Site Development Plan Review (SD-0016-98).

The proposed use fails to provide adequate parking pursuant to Title 19.10. However, the original Site Development Plan Review (SD-0016-98) required only 75 spaces where 76 were provided. As such, the development is parking impaired and would not require a Variance. The proposed Auto Repair Garage, Major utilizes the same parking standard as the existing Auto Repair Garage, Minor use, thus having no effect on current parking totals.

The existing Auto Repair Garage, Minor has been in operation since 06/14/05. There are currently three existing business licenses for Auto Repair Garage, Major uses on the subject site. The subject site contains similar uses and does not intensify the parking requirements set forth by the approved Site Development Plan Review (SD-0016-98). Staff finds that the proposed use is

harmonious and compatible with the surrounding land uses. Therefore, staff recommends approval of the subject request.

USE

Title 19.04 defines the Auto 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.

This application meets all of the Title 19.04 requirements for a proposed Auto Repair Garage, Major use. The subject site is an appropriate location, as its intended use was that of an automotive repair facility pursuant to Site Development Plan Review (SD-0016-98). Staff finds the proposed use to be harmonious and compatible with the surrounding land uses on site. Therefore, staff recommends approval of the subject request.

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 Auto Repair Garage, Minor business within the subject commercial center since 2005 without major incident or disturbance to the surrounding area. Staff finds that the proposed Auto Repair Garage, Major use can be conducted at the subject location in a manner that is harmonious and compatible with the existing and future surrounding land uses.

- 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.**

Primary access to the site is from Rancho Drive, which is designated 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 site is subject to City of Las Vegas inspections, as well as the International Building Code, therefore public health and safety and welfare will not be adversely impacted by this proposed use.

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

The use meets all minimum Title 19.04 Special Use Permit requirements for an Auto Repair Garage, Major use.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 182 by City Clerk

APPROVALS 1

PROTESTS 2