



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 16, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ROC-35500 - REVIEW OF CONDITION SPECIAL USE PERMIT
- APPLICANT/OWNER: CECILE PROPERTIES**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition Number 5 shall be changed to read, Parking lot shall be striped to conform to the requirements of Title 19.
2. Conformance to the conditions of approval of Special Use Permit (SUP-27082) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site currently has a 2,349 square-foot building shared by a Secondhand Dealer and an Office (DMV Services). The required number of parking spaces for the subject site is 10 spaces, one of which must be dedicated for handicap use. Condition Number 5 of the previously approved Special Use Permit (SUP-27082) required the parking lot to be striped according to the site plan date stamped 03/04/08. The applicant states that due to the Las Vegas Water District and Nevada Power installing equipment and a bollard in one of the parking spaces, they did not follow the previously approved plans and restriped the parking area according to plans submitted on August 25, 2009. Access into most of the parking spaces requires the driver to enter the curb cut area over a sidewalk into the parking space, but all spaces require a patron to back out onto a public street. The parking spaces facing the front of the businesses back out onto Sahara Avenue, which is a major arterial.

The applicant is requesting Condition Number 5 of a previously approved Special Use Permit (SUP-27082) changed to allow parking to conform to the plans date stamped 08/25/09. The building placement precludes any other parking options in order to meet the required parking spaces in accordance with Title 19.04 for the type of use(s); therefore, staff recommends approval this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/19/64	The Board of Zoning Adjustment approved a request for a Variance (V-0020-64) to allow residential use in addition to professional office use on property generally located on the northeast corner of Santa Rita Drive and Sahara Avenue in land use designed as a P-R (Professional Office and Parking) zone.
02/21/68	The Board of City Commissioners approved a request for Rezoning (Z-0003-68) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) of property generally located on the northeast corner of East Sahara Avenue and Santa Rita Drive. The Planning Commission recommended approval on 02/08/68.
05/07/08	The City Council approved a request for a Special Use Permit (SUP-27082) for a proposed Secondhand Dealer (Jewelry) at 420 East Sahara Avenue. The Planning Commission recommended approval on 04/10/08.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/15/09	A Code Enforcement case (78971) was processed for illegal signage on property located at 420 East Sahara Avenue. Code Enforcement closed the case on 07/10/09.
08/13/09	The Planning Commission is scheduled to hear a request for a Reviewed Review (RQR-34160) of a previously approved Special Use Permit (SUP-27082) for a Secondhand Dealer at 420 East Sahara Avenue.
<i>Related Building Permits/Business Licenses</i>	
07/07/08	A business license (S26-00020) was issued for a Secondhand Dealer at 420 East Sahara Avenue. The license is still active.
10/16/08	A building permit (123284) was issued for tenant improvements for a certificate of occupancy. The permit was finalized on 11/18/08.
06/19/09	A business license (P27-00587) was issued for Personal Services (DMV Services) at 424 East Sahara Avenue. The license is still active.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	

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

<i>Field Checks</i>	
08-18-09	Staff conducted a field check of the subject site with the following observations: • The building is shared by a Secondhand Dealer (The Gold Exchange) and an office (DMV Services) • The only landscaping at the subject site is located by the front entrances • The three (3) parallel parking spaces depicted on the site plan dated August 25, 2009 are behind a gated area • The majority of the parking spaces require a patron to back out into a public street

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Secondhand Dealer and Office	SC (Service Commercial)	C-1 (Limited Commercial)
North	Duplex	ML (Medium-Low Density Residential)	R-2(Medium-Low Density Residential)
South	Apartments- Clark County	CT (Commercial Tourist)- Clark County	H-1 (Limited Resort and Apartments)- Clark County

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
East	Financial Institution - Specified	SC (Service Commercial)	C-1 (Limited Commercial)
West	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Beverly South Ridge Neighborhood Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
G-O (Gaming Enterprise Overlay) District	X		Y
A-O (Airport Overlay) District (175 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

ANALYSIS

This request is to change Condition Number 5 of a previously approved Special Use Permit (SUP-27082) to allow the parking lot at 420 East Sahara Avenue to be striped according to site plans date stamped 08/25/09. Since the approval of the Special Use Permit, the Las Vegas Water District and Nevada Power Company installed equipment and a bollard at the subject site, requiring the applicant to deviate from the approved plans to provide the required number of parking spaces. Title 19.04 requires a total of 10 parking spaces for the subject site with one designated for handicap use: the site currently has 11 parking spaces. The applicant has met all other conditions of approval for the Special Use Permit (SUP-27082). There has not been any Code Enforcement violations or problems cited for the business license.

FINDINGS

The Department of Public Works reviewed the proposed plans and as they do not differ significantly from the plans approved for the Special Use Permit (SUP-27082), they have no comment or objections.

Though the majority of the parking spaces require a patron to back out into a public street, the building placement precludes any other parking options in order to meet the required parking spaces in accordance with Title 19.04 for the type of use(s); therefore, staff recommends approval this request.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	517
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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