



AGENDA MEMO

CITY COUNCIL MEETING OF: OCTOBER 21, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-35541 - APPLICANT: OLENA GOLOSNA - OWNER:
WEST SAHARA ASSOCIATES**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.
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 City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit to relocate an existing Secondhand Dealer to a larger suite within the same shopping center at 6360 West Sahara Avenue. The applicant has indicated that the project will not modify the existing condition of the site. The proposed use can be conducted in a compatible and harmonious manner with the surrounding development and land uses, and meets the minimum Special Use Permit requirements for a Secondhand Dealer use; therefore, staff recommends approval of this request. If denied, the applicant's business would remain at its current address at 6338 West Sahara Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
03/19/86	The City Council approved a Rezoning (Z-0016-86) from N-U (Non-Urban) to C-1 (Limited Commercial) on this site. The Planning Commission and staff recommended approval. Condition Number 4 of this approval prohibits access to Torrey Pines Drive from the proposed commercial storage facility except for an emergency access gate.
12/22/87	The Planning Commission approved a Site Development Plan Review [Z-0016-86(2)] for proposed retail shops, restaurant and bar, and automobile lube shop on the subject site. Staff recommended approval.
05/24/88	The Planning Commission approved a Plot Plan Review [Z-0016-86(3)] for a revised plot plan of a proposed retail commercial center on this site consisting of 64,854 square feet. Staff recommended approval.
01/03/01	The City Council approved a Special Use Permit (U-0179-00) for a Restaurant Service Bar at 6352-6354 West Sahara Avenue. The Planning Commission and staff recommended approval.
10/17/01	The City Council approved a Special Use Permit (U-0121-01) to allow secondhand sales in conjunction with a sporting goods store at 6360 West Sahara Avenue. The Planning Commission and staff recommended approval.
02/16/05	The City Council denied an appeal of the Planning Commission denial vote for a Special Use Permit (SUP-3394) for a proposed 40-foot tall, 14-foot by 48-foot Off-Premise Advertising Sign on the subject site. Staff recommended approval.
07/19/06	The City Council approved a Special Use Permit (SUP-13478) for a proposed Secondhand Dealer (clothing) at 6378 West Sahara Avenue. The Planning Commission and staff recommended approval.

11/21/07	The City Council approved a Special Use Permit (SUP-24533) for a Secondhand Dealer at 6338 West Sahara Avenue. The Planning Commission and staff recommended approval.
10/23/08	Required Request Review (RQR-29731) was administratively approved for a One-Year Minor Review of an approved Special Use Permit (SUP-24533) for a Secondhand Dealer at 6338 West Sahara Avenue.
09/24/09	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #23/ao).

<i>Related Building Permits/Business Licenses</i>	
05/16/89	A business license (R07-00229) was issued for a restaurant with seating under 45 at 6362 West Sahara Avenue. The license is still active.
09/11/92	A business license (A01-01141) was issued for administrative office space at 6354 West Sahara Avenue. The license is still active.
11/17/99	A business license (N36-00006) was issued for a thrift store at 6344 West Sahara Avenue. The license is still active.
08/23/01	A business license (S02-00415) was issued for a secondhand dealer, class IV, at 6340 West Sahara Avenue. The license is still active.
12/14/01	A business license (S25-00078) was issued for a secondhand dealer, class II, at 6360 West Sahara Avenue. The license was marked out of business on 05/29/08.
12/02/02	A business license (P35-00004) was issued for outdoor pay phone per location at 6344 West Sahara Avenue. The license is still active.
01/26/06	A business license (R23-00246) was issued for recreational instruction or lessons at 6342 West Sahara Avenue. The license is still active.
02/24/06	A business license (T01-00378) was issued for a tailor and/or dressmaker at 6364 West Sahara Avenue. The license has expired.
10/04/07	A business license (C07-03758) was issued for secondhand clothing at 6338 West Sahara Avenue. The license was marked out of business on 07/03/08.
07/03/08	A business license (S25-00109) was issued for secondhand clothing at 6338 West Sahara Avenue. The license is still active.

<i>Pre-Application Meeting</i>	
07/22/09	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Secondhand Dealer were discussed. The topics included: The submittal of application materials, meeting dates, and deadlines were discussed at the pre-application meeting.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

Field Check	
08/20/09	During a routine field check staff observed a well-maintained retail center.

Details of Application Request	
Site Area	
Gross Acres	5.34

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	CPS (Commercial Professional Services)-Clark County Designation	C-1 (Limited Commercial)-Clark County Designation
East	Automobile Dealership	GC (General Commercial)	C-2 (General Commercial)
West	Automobile Dealership	GC (General Commercial)	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
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		Y

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	
Shopping Center	64,854 SF	1/250 SF	253	7	328	12	Y
SubTotal			253	7	328	12	
TOTAL	64,854 SF		260		340		

ANALYSIS

This request is for a Special Use Permit for a proposed 2,700 square-foot Secondhand Dealer use within an existing shopping center at 6360 West Sahara Avenue. The applicant is moving from an existing retail space of 1200 square feet to an adjacent tenant space is currently vacant. The applicant is proposing to sell children's accessories, including clothing, used children's bikes, swings, jumpers, strollers, and basinetts. The applicant has indicated that the proposed hours of operation will be from 10:00 a.m. to 7:00 p.m., six days a week, with the possibility of extending to seven days.

Pursuant to Ordinance #5477, the proposed Special Use Permit request has been deemed a "Project of Regional Significance," as it concerns property located within 500 feet of the city boundary with Clark County. A questionnaire describing the impacts of the project to the area was distributed to various regional agencies for review, but no comments were received.

The proposed use will be located within an existing shopping center capable of accommodating a variety of uses, and the addition of a Secondhand Dealer within this center is compatible with the existing and future land uses. Therefore, staff recommends approval. If denied, the applicant's business would remain at its current address of 6338 West Sahara Avenue.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 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 land use is compatible with the SC (Service Commercial) General Plan designation and is located within an existing shopping center. The use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed Secondhand Dealer use will be in located within an existing shopping center that is physically suitable for the type and intensity of the land use proposed.

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.”

Site access is provided from Sahara Avenue, a 100-foot Primary Arterial, and Torrey Pines Drive, an 80-foot Secondary Collector, as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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 this special use permit will not compromise public health, safety, or welfare as the proposed Secondhand Dealer use will be subject to regular inspections.

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

The proposed Secondhand Dealer use complies with the conditions per Title 19.04, including all minimum Special Use Permit requirements.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions at the Planning Commission Meeting. There was additional support submitted at the meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 5

SENATE DISTRICT 8

NOTICES MAILED 214 by City Clerk

APPROVALS 0

PROTESTS 2