



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: KOUTNOUYAN LIVING TRUST AND
ARMENIAN ADROUSHAN & NORA LIVING TRUST

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
RQR-39882	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

RQR-39882 CONDITIONS

Planning and Development

1. Conformance to the conditions of approval of the Special Use Permit (SUP-3128) and all other site related actions as required by the Planning and Development Department and Department of Public Works.
2. All illegal signage on the property shall be removed within 10 days of City Council action.

Staff Report Page One
December 1, 2010 - City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Required Review of an existing Special Use Permit (SUP-3128) for an Auto Parts (new and rebuilt) (accessory sales and service) and an Auto Repair Garage, Minor located at 4401 Stewart Avenue. The subject site has had four (4) prior reviews with the most recent an Administrative Review (RQR-37663) conducted on June 9, 2010, where staff recommended approval as the applicant has made a concerted effort to bring the property into compliance with the conditions of the Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/07/77	The Board of City Commissioners approved a request for Rezoning (Z-0075-77) from R-E (Residence estates) to C-1 (Limited Commercial) of property generally located on the northeast corner of Lamb Boulevard and Stewart Avenue.
01/21/04	The City Council approved a request for a Special Use Permit (SUP-3128) for Auto Parts (New and Rebuilt) (Accessory Sales and Service) and a proposed Auto Repair Garage, Minor at 4401 Stewart Avenue. The Planning Commission and staff recommended approval.
10/15/08	The City Council approved a request for a Required Review (RQR-29762) of a previously approved Special Use Permit (SUP-3128) that allowed an Auto Parts (New and Rebuilt) (Accessory Sales and Service) and a proposed Auto Repair Garage, Minor at 4401 Stewart Avenue.
05/06/09	The City Council approved a request for a Required Review (RQR-33579) of a previously approved Special Use Permit (SUP-3128) that allowed an Auto Parts (New and Rebuilt) (Accessory Sales and Service) and a proposed Auto Repair Garage, Minor at 4401 Stewart Avenue.
11/04/09	The City Council approved a request for a Required Review (RQR-36189) of a previously approved Special Use Permit (SUP-3128) that allowed an Auto Parts (New and Rebuilt) (Accessory Sales and Service) and a proposed Auto Repair Garage, Minor at 4401 Stewart Avenue.
03/01/10	A Code Enforcement case (86916) was processed for violations of the conditions of approval of the Special Use Permit (SUP-3128) that included exterior storage, repair work being accomplished outside the bays, signs in the landscaping areas, outside displays, banners without permit, and a mobile car wash on site. Code Enforcement closed the case on 03/23/10.

Staff Report Page Two
December 1, 2010 - City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/09/10	The Planning and Development Department approved a request for a Required Review (RQR-37663) of a previously approved Special Use Permit (SUP-3128) that allowed an Auto Parts (New and Rebuilt) (Accessory Sales and Service) and a proposed Auto Repair Garage, Minor at 4401 Stewart Avenue.
09/01/10	A Code Enforcement case (94124) was processed for violations of the conditions of approval of the Special Use Permit (SUP-3128) where sign is posted for 24-hour operations. Code Enforcement closed the case on 09/16/10.

<i>Most Recent Change of Ownership</i>	
01/05/05	A deed was recorded for a change in ownership (140-32-201-002).

<i>Related Building Permits/Business Licenses</i>	
07/27/04	A building permit (4019573) was issued for tenant improvements for a Certificate of Occupancy at 4401 Stewart Avenue. The permit was finalized 10/20/04.
08/20/07	A business license (G02-00772) was issued for Tire Sales/Minor Auto Repair Garage at 4401 Stewart Avenue. The license is still active.

<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	

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

<i>Field Check</i>	
11/03/10	<p>Staff conducted a field check of the subject site with the following observations:</p> <ul style="list-style-type: none"> • The landscape areas are being properly maintained. • There was no trash/debris on the property or in the surrounding area. • No outside storage was found nor were repairs being done outside the bays. • There was an non-permitted wooden sign at the corner of Lamb and Stewart in the landscape area advertising property for lease, but it did not appear to belong to the Auto Repair Garage.

Staff Report Page Three
December 1, 2010 - City Council Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.36

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Auto Repair Garage, Minor	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail Establishment, Restaurant, Tavern	SC (Service Commercial)	C-1 (Limited Commercial)
South	Offices	O (Office)	P-R (Professional Office and Parking)
	Single Family Residences	L (Low Density Residential)	R-1 (Single-Family Residential)
East	Mini Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Plaza	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</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
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the fifth required review of a previously approved Special Use Permit (SUP-3128) that allowed an Auto Repair Garage, Minor at 4401 Stewart Avenue. The subject site has experienced two (2) Code Enforcement violations (#86916 and #94124) in 2010 for violating the conditions of approval of the Special Use Permit (SUP-3128), but both were subsequently closed by Code Enforcement officials. Staff conducted a field check of the site on 11/03/10 and found the business in compliance with the conditions of approval of the Special Use Permit (3128), with the exception of a wooden sign in the landscape area at the corner of Lamb and Stewart, but the sign did not appear to be associated with the Auto Repair Garage, but was advertising property for lease.

Staff Report Page Four

December 1, 2010 - City Council Meeting

FINDINGS

Since the last required review, the applicant has made a concerted effort to bring the property into compliance with the conditions of the Special Use Permit (SUP-3128) and has succeeded as noted during the field check on 11/03/10. The removal of the non-permitted sign on the property (in landscape area) has been placed as a condition of approval; therefore, staff is recommending approval of this request with no further reviews.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0