



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 16, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: DRIVETIME CAR SALES COMPANY, LLC –
OWNER: BILL HADEN, INC.

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-40436	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-40436 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Motor Vehicle Sales, (Used) use.
2. Conformance to the approved conditions for Rezoning (Z-0071-77) and Plot Plan Review (Z-0071-77).
3. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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- 6.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.
- 7.All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 32,237 square-foot Motor Vehicle Sales, (Used) use at 3030 East Sahara Avenue. The subject property contains existing buildings totaling 32,237 square feet that were previously approved through Plot Plan Review (Z-0071-77) for a New Car Dealership, which operated at the site for 24 years. Staff recommends approval of this request, as it can be conducted in a manner that is compatible with the surrounding uses. If this application is denied, the vacant buildings would remain.

ISSUES

- A Motor Vehicle Sales, (Used) use is permitted in the C-2 (General Commercial) Zoning District with the approval of a Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/21/70	The Board of City Commissioners approved a Rezoning (Z-0060-70) of property generally located on the north side of Sahara Avenue between McLeod Street and Boulder Highway from R-1 (Single Family Residential) and R-2 (Medium-Low Density Residential) to C-2 (General Commercial), under Resolution of Intent.
09/07/77	The Board of City Commissioners approved a Rezoning (Z-0071-77) of property generally located on the northeast corner of Sahara Avenue and McLeod Street from R-1 (Single Family Residential) and R-2 (Medium-Low Density Residential) to C-2 (General Commercial), under Resolution of Intent. The Planning Commission and staff recommended approval.
03/26/85	The Planning Commission approved a Plot Plan Review (Z-0071-77) for a New Car Dealership on property generally located on the northeast corner of Sahara Avenue and McLeod Street. The Planning and Development Department staff recommended approval.
01/25/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 15/jg).

<i>Most Recent Change of Ownership</i>	
05/25/71	A deed was recorded for a change in ownership for (APN 162-01-801-021).
03/06/78	A deed was recorded for a change in ownership for (APN 162-01-801-020).
06/06/84	A deed was recorded for a change in ownership for (APN 162-01-801-018).
02/07/85	A deed was recorded for a change in ownership for (APN 162-01-801-019).

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<i>Related Building Permits/Business Licenses</i>	
C.1972	A restaurant at 3030 East Sahara Avenue were constructed
C.1986	A sales office / showroom and garage at 3030 East Sahara Avenue were constructed
02/24/86	A business license (A16-00001) was issued for Automobile Sales at 3030 East Sahara Avenue. The license was marked out of business on 09/08/10.
03/07/95	A business license (A19-00112) was issued for a Rental Car Agency at 3030 East Sahara Avenue. The license was marked out of business on 01/30/09.

<i>Pre-Application Meeting</i>	
12/03/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Motor Vehicle Sales (Used) use.

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

<i>Field Check</i>	
12/14/10	During a site visit, staff noted a vacant Motor Vehicle Sales (New) and Motor Vehicle Sales (Used) lots, with service bays to be clean and free of debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.71

<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	Vacant	GC (General Commercial)	C-2 (General Commercial)
North	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
South	Sahara Avenue	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Motor Vehicle Sales (New)	GC (General Commercial)	C-2 (General Commercial)
West	Government Facility	PF (Public Facility)	R-1 (Single Family Residential)
			R-2 (Medium-Low Density Residential)

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<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		Y
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		Y

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
<i>Sahara Avenue</i>	Primary Arterial	Master Plan of Streets and Highways	100	N
<i>McLeod Street</i>	Local	N/A	60	N/A

Pursuant to Title 19.04 and 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	
Motor Vehicle Sales, (Used)	32,237 SF	1/500 SF	65				
TOTAL SPACES REQUIRED			65		387		Y
Regular and Handicap Spaces Required			62	3	383	4	Y

ANALYSIS

A Motor Vehicle Sales, (Used) use is defined by Title 19.20.020 as “a facility or area used primarily for the display and sale (or leasing) of used automobiles, motorcycles and motor scooters, but excluding mopeds. The term includes service bays and auto body shops which are incidental and accessory to the sales use. The applicant is proposing a Motor Vehicle Sales, (Used) use on property that was formally a Motor Vehicle Sales, (New) use. The proposed hours

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of operation would be from 10:00 a.m. to 8:00 p.m. Monday through Thursday and from 8:30 a.m. to 8:30 p.m. Friday and Saturday. An on-street bike trail has been proposed on McLeod Street along the western property line. The proposed use complies with Title 19.04 minimum Special Use Permit Requirements and can be conducted in a manner that is compatible with existing and surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-40436)

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 use will be located on a former Motor Vehicle Sales, (New) site. The proposed use can be conducted in a manner that is harmonious and compatible with the existing and future uses.

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

The subject site has adequate parking, including display spaces, and floor area to provide facilities for the Motor Vehicle Sales, (Used) 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.

The site is accessed by Sahara Avenue and McLeod Street. These streets are of sufficient size to accommodate the needs of the proposed Motor Vehicle Sales, (Used) 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.

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

The proposed use complies with the minimum Special Use Requirements for a Motor Vehicle Sales, (Used) use.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 152 (By City Clerk)

APPROVALS 1

PROTESTS 1