



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: BRIAN ALBISER

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41278	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SUP-41278 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. 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 Department of Building and Safety.
3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
4. 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 Bailbond Service located at 1201 Stewart Avenue, Suite 2 in an existing strip mall. The applicant is proposing to operate a 1,000 square-foot Bailbond Service office at the subject location. Currently, the suite is vacant. The proposed Bailbond Service is not compatible and harmonious with the existing surrounding land uses as this service is better located near the Regional Justice Center, Federal Courthouse and Jail; therefore, staff is recommending denial of this request.

ISSUES

- A Bailbond Service is permitted in a C-2 (General Commercial) district with an approved Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
06/13/63	The City Council approved Rezoning (Z-0096-63) from R-4 (High Density Residential) to C-2 (General Commercial) at 1201 Stewart Avenue. The Planning Commission and Staff recommended approval.
06/14/11	The Planning Commission voted (7-0) to recommend DENIAL (PC Agenda Item 23/yk).

<i>Most Recent Change of Ownership</i>	
03/08/02	A deed was recorded for a change in ownership for both parcels (APNs 139-35-211-073 and 074).

<i>Related Building Permits/Business Licenses</i>	
04/14/03	A Business License (M01-04235-4-060221) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2. Went out of business on 07/10/09.
01/26/10	A Business License (C11-09560-I-135584) was issued for a Contractor at 1201 Stewart Avenue, Suite 2. License is still active.
06/01/10	A Business License (M01-08903-1-129525) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2.
07/08/10	A Business License (L33-01087-G-143524) was issued for Lawn Maintenance at 1201 Stewart Avenue, Suite 2.
08/09/10	A Business License (M01-10513-2-150616) was issued for a Janitorial Service at 1201 Stewart Avenue, Suite 2.

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<i>Pre-Application Meeting</i>	
03/14/11	Staff reviewed the requirements for a Special Use Permit application for a Bailbond Service with the applicant.

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

Field Check	
03/31/11	Staff visited the site and found a well maintained small strip mall development.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.49

<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	General Retail	MXU (Mixed Use)	C-2 (General Commercial)
North	Office	MXU (Mixed Use)	C-1 (Limited Commercial)
South	General Retail	MXU (Mixed Use)	C-2 (General Commercial)
	Multi-Family Residential		R-5 (Apartment)
East	Convenience Store	MXU (Mixed Use)	C-2 (General Commercial)
West	Multi-Family Residential	MXU (Mixed Use)	R-4 (High Density Residential)
	Office		C-2 (General Commercial)

<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Live/Work Overlay District	X		N/A
Trails		X	NA
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

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DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Bailbond Service	1,000 sq. ft.	1 space per 300 sq. ft.	4				
Convenience Store	1,000 sq. ft.	1 space per 175 sq. ft.	6				
Retail	1,500 sq. ft.	1 space per 175 sq. ft.	9				
Office	750 sq. ft.	1 space per 300 sq. ft.	3				
Barbershop	1 Chair	2 space per Chair	2				
Laundromat	2,000 sq. ft.	1 space per 250 sq. ft.	8				
TOTAL SPACES REQUIRED			32		25		Y *
Regular and Handicap Spaces Required			30	2	23	2	Y

- The site is parking impaired.

<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>
Stewart Avenue	Secondary Collector	Master Plan of Streets and Highways	80	Y
Maryland Parkway	Secondary Collector	Master Plan of Streets and Highways	80	Y

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ANALYSIS

The proposed Bailbond Service will be located in Suite #2 that most recently housed the offices of a home and landscape maintenance business. The property is parking impaired and has seven parking space impairment based on the existing uses and standards. The proposed Bailbond Service is a less intense use than the previous use and therefore the parking is acceptable as it exists.

The entire strip mall and parking lot are located on two adjacent parcels (139-35-211-073 and 074). It is recommended that these two parcels should be remapped into one parcel to avoid future development issues.

Currently there are four active business licenses attached to this address. Staff conducted a site visit and found the suite to be vacant. It is unknown if these businesses relocated or went out of business.

The subject site is located in the Live/Work and Las Vegas Redevelopment Plan Overlays. This project will not be impacted by either one. The proposed use as a Bailbond Service requires a Special Use Permit within the C-2 (General Commercial) zone. There are no special conditions or minimum requirements related to the proposed use as a Bailbond Office. These types of services are better located near the Regional Justice Center, Federal Courthouse and Jail; therefore, staff recommends denial.

FINDINGS (SUP-41278)

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 surrounding land use is intended for commercial and retail uses. The proposed use as a Bailbond Service is not harmonious with the surrounding development.

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

The site is physically suitable for the type and intensity of 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.

The proposed Bailbond Service is located within a commercial strip mall that has access to Maryland Parkway and Stewart Avenue, both of which are identified on the Master Plan of Streets and Highways as 80-foot Secondary Collectors. These roads have adequate capacity to serve 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 proposed Bailbond Service is a state licensed business, and the site would be subject to inspections. Therefore, it would not compromise public health and safety.

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

There are no minimum requirements associated with the proposed Bailbond Service use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

33

NOTICES MAILED

175 (By City Clerk)

APPROVALS

0

PROTESTS

2