



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 11, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-34333 - APPLICANT: COLLEEN'S CLASSIC

CONSIGNMENT - OWNER: ROBERT H. FISHER

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.
2. Conformance to the conditions for Rezoning (Z-0055-93).
3. 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.
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 21,025 square-foot Secondhand Dealer (Furniture) use at 1540 South Rainbow Boulevard. The subject property was approved and built for the sale of new home furnishings and accessories, and the applicant is now proposing to locate a home furniture and accessory consignment store at the subject site. As the intensity of land use at the subject site will remain the same as the previously approved land use, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
08/04/93	The City Council approved a Rezoning (Z-0055-93) from N-U (Non-Urban) to C-1 (Limited Commercial) and a Plot Plan Review for a proposed furniture store on property located on the east side of Rainbow Boulevard approximately 210 feet south of Del Rey Avenue. The Planning Commission and staff recommended approval of this request.
<i>Related Building Permits/Business Licenses</i>	
07/13/94	A business license (#F07-01331) was issued for furniture sales at 1540 South Rainbow Boulevard. The license is currently active.
05/20/94	A building permit (#94332804) was issued for wall letter signage at 1540 South Rainbow Boulevard. The permit received final approval 07/29/94.
12/28/93	Building permits were issued for a new building (#93213486) and a tenant improvement (#93213489) at 1540 South Rainbow Boulevard. The permits received final approval 06/13/94.
12/28/93	A building permit (#93213488) was issued for onsite improvements at 1540 South Rainbow Boulevard. The permit received final approval 06/09/94.
<i>Pre-Application Meeting</i>	
04/16/09	A pre-application meeting was held with the applicant where the following information was discussed: • The submittal requirements for a Special Use Permit for a Secondhand Dealer Use. • Revising the site plan to include accurate representations of the existing site including parking and building square footage. • Revising the justification letter to specifically request the Secondhand Dealer Use. • Pursuant to Title 19.10, the subject property was determined to be Parking Impaired and no parking Variance would be required.

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<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Field Check</i>	
05/07/09	A field check was performed by staff with the following observations: • The site is an existing furniture store with minimal activity. • The exterior of the building appeared to be well-maintained. • Several trees and shrubs shown on the approved landscape plans appeared to be missing from the site. The issue was turned over to the Planning and Development Inspections division for further action. • The parking lot striping appeared to be badly faded and worn. The issue was turned over to the Planning and Development Inspections division for further action.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.29

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	General Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)
North	Office	SC (Service Commercial)	C-1 (Limited Commercial)
South	Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Condominiums	M (Medium Density Residential)	R-PD15 (Residential Planned Development 15 Units per Acre)
West	Office	SC (Service Commercial)	P-R (Professional Offices and Parking)
	Restaurant (without Drive-Through)	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</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
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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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	
Secondhand Dealer	21,025 SF	1 Space / 250 SF	81	4	41	2	
TOTAL			85		43		Y*
Loading Spaces			2		2		Y

* Pursuant to Title 19.10.010, the subject site is considered a Parking-Impaired Development.

ANALYSIS

This is a request for a proposed 21,025 square-foot Secondhand Dealer (Furniture) use at 1540 South Rainbow Boulevard. The subject site was approved and constructed in 1993 for the use as a new furniture and home accessory sales facility. The applicant is proposing to locate a consignment store, for the sale of home furnishings and accessories, within the existing 21,025 square-foot building at the subject site. The intensity of land use at the site will remain nearly identical to that which is currently on site and will have little to no impact on the adjacent neighborhood.

A total of 43 parking spaces were approved where 85 are now required by Title 19. The site is therefore Parking Impaired. The proposed use is not more intense than the previous use and therefore requires no additional parking. The subject site meets all applicable Title 19.04 Minimum Special Use Permit Requirements.

FINDINGS

The following findings must be made for a Special Use Permit:

- 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 can be conducted in a manner that is harmonious and compatible with existing surrounding land uses as it meets all of the minimum Title 19.04 Special Use Permit Requirements.

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

The subject site is physically suitable for the type and intensity of land use proposed as the existing building has been designed for and exclusively used for furniture and home accessory sales. The change in use to a Secondhand Dealer will have little to no impact on the subject site.

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.

Access to the site is provided by Rainbow Boulevard, a 100-foot Primary Arterial, according to the Master Plan of Streets and Highways, which will provide adequate access to the site.

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 Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare as the proposed Secondhand Dealer (Furniture) use will be similar in nature to existing furniture store use on the subject site.

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

The proposed Secondhand Dealer use meets all the required minimum Special Use Permit Requirements pursuant to Title 19.04.040.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 413

APPROVALS 3

PROTESTS 0