



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 5, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-36110 - APPLICANT: JPL ENGINEERING, INC. -

OWNER: DARCY KATHLEEN HOUGHTON

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. Prior to submittal for review of a Final Map, a revised Tentative Map depicting all existing structures on the subject site shall be submitted to and approved by the Planning and Development Department and Public Works Department staff.
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

4. Sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate Note shall appear on the face of the recorded Final Map:
 - I. On-site sewers, 8-inches in diameter or larger, are public sewers within 20-foot wide dedicated public sewer easements.
 - II. On-site sewers are a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
 - III. On-site sewers are a common element privately owned and maintained per the Joint Use Agreement of this commercial subdivision.
5. In accordance with the intent of a Commercial Subdivision, all sites within this subdivision shall have perpetual common access to all driveways connecting this site to the abutting streets and a note to this effect shall appear on the Final Map for this site. No barriers (e.g. curbs, wall, etc.) shall be erected within the boundaries of the overall commercial subdivision map site which would prohibit any vehicle on this site from utilizing any driveway connecting this commercial development site to the abutting public streets.

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6. All subdivided parcels comprising this commercial subdivision shall provide perpetual inter site common drainage rights across all existing and future parcel limits and a note to this effect shall appear on the Final Map for this site.
7. Landscape and maintain all unimproved right of way, if any, on Rancho Drive adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
8. As appropriate, submit an Encroachment Agreement to the City of Las Vegas and/or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements, if any, in the Rancho Drive public right of way adjacent to this site.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Tentative Map for a one-lot commercial subdivision on 0.61 acres at 825 and 831 North Rancho Drive. There are two existing primary structures on the site, as well as an accessory storage shed and two trash enclosures. Staff recommends approval, as the map meets Title 18 technical requirements for tentative maps and, although considered parking impaired, meets Title 19 zoning requirements. If denied, the proposed subdivision of land will not be eligible for the final map review process and eventual recordation of a final subdivision map, and a new map must be submitted.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
08/06/03	The City Council accepted a request to withdraw without prejudice a Special Use Permit (SUP-2199) for a proposed Financial Institution, Specified (Check Cashing) and Auto Title Loan at 831 North Rancho Drive. The Planning Commission vote ended in a tie, and no recommendation was forwarded to the City Council; staff had recommended approval.
10/28/03	Code Enforcement responded to a complaint (#6240) of an illegal vendor at 831 North Rancho Drive. Code Enforcement closed the case on 10/28/03.
06/06/04	Code Enforcement inspected (#16438) the site at 831 North Rancho Drive for an illegal vendor. Code Enforcement closed the case on 06/10/04.
06/12/08	Code Enforcement responded to a complaint (#66561) that mobile car wash operators were using the lot at 831 North Rancho Drive for washing vehicles. Code Enforcement closed the case on 07/08/08.
02/12/09	The Survey Section of the Department of Public Works denied a technical review of a two-lot parcel map (PMP-33442) on the subject site. A follow up review has not been approved and the map has not recorded.
05/24/09	Code Enforcement responded to a complaint (#78405) that mobile car wash operators were using the rear of the lot at 825 North Rancho Drive for washing vehicles. Over 17 separate inspections, no wash vendors were found operating on private property. Code Enforcement closed the case on 08/03/09.
<i>Related Building Permits/Business Licenses</i>	
Building Permits	
08/17/89	A building permit (#89035953) was issued for fire repair at 831 North Rancho Drive. The permit received a final inspection on 08/25/89.
11/08/89	A building permit (#89045701) was issued for an illuminated sign at 831 North Rancho Drive. The permit received a final inspection on 12/12/89.

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07/28/89	A building permit (#90033094) was issued for fire damage repair at 831 North Rancho Drive. The permit received a final inspection on 08/25/89.
11/22/91	A building permit (#91127203) was issued for a tenant improvement remodel at 831 North Rancho Drive. The permit received a final inspection on 08/11/92.
12/17/91	A building permit (#91129610) was issued for replacement of an existing pole sign at 831 North Rancho Drive. There were no inspections approved, and the permit expired 06/19/92.
03/25/92	A building permit (#92140491) was issued for a tenant improvement remodel at 831 North Rancho Drive. The permit received a final inspection on 07/31/92.
05/15/92	A building permit (#92145755) was issued for a masonry trash enclosure at 831 North Rancho Drive. The permit received a final inspection on 08/04/92.
05/26/93	A building permit (#93188307) was issued for an illuminated sign at 825 North Rancho Drive. No inspections were approved, and the permit expired 11/25/93.
09/02/97	A building permit (#97018145) was issued for change out of parking lot lighting at 825 North Rancho Drive. The permit received a final inspection on 11/20/97. Permit #97018146 was issued for the same project at 831 North Rancho Drive; however, no final inspection was approved and the permit expired 08/29/98.
01/17/01	A building permit (#01000877) was issued for various repairs at 831 North Rancho Drive. The permit received a final inspection on 01/31/01.
01/05/04	A building permit (#04000094) was issued for two illuminated signs at 825 North Rancho Drive. A final sign inspection was voided on 09/08/04 and the permit subsequently expired on 03/12/05.
<i>Business Licenses</i>	
Pre-1991	A business license (R09-00052) was issued for a Restaurant with 45+ seats at 825 North Rancho Drive. The license was marked out of business on 02/01/08.
Pre-1991	A business license (L09-00012) was issued for the on-premise sale of beer, wine and wine coolers at 825 North Rancho Drive. The license was marked out on 09/18/09.
Pre-1991	A business license (C08-01036) was issued for an amusement machine at 825 North Rancho Drive. The license was marked out of business on 02/01/08.
02/19/04	A business license (R07-00633) was issued for a 30-seat restaurant at 831 North Rancho Drive. The license expired 07/15/09 for lack of fee payment.
<i>Pre-Application Meeting</i>	
09/09/09	Submittal requirements for the Tentative Map application were discussed. Staff acknowledged the legally nonconforming setback along Rancho (NDOT jurisdiction). The applicant was advised that any site changes would require a Site Development Plan Review and Variance for parking and setbacks, but mapping the site would not have any affect on the current setbacks.

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<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
10/01/09	The site is entirely developed with two primary structures. A drive through lane wraps around the northernmost building at the rear and south side of the building. Two trash enclosures abut the property line with frontage on Belrose Street. There are no perimeter walls on the site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.61

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Restaurant (with Drive-Through)	SC (Service Commercial)	C-1 (Limited Commercial)
	Restaurant (without Drive Through) - vacant		
North	Rancho Drive ROW	ROW (Right-of-Way)	ROW (Right-of-Way)
South	Pawn Shop	SC (Service Commercial)	C-1 (Limited Commercial)
East	Parking Lot	SC (Service Commercial)	C-1 (Limited Commercial)
West	Swap Meet	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Redevelopment Area	X		Y
A-O Airport Overlay District (105 Feet)	X		Y
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 19.08, the following development standards apply to the subject property as proposed:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 feet	266 feet	Y
Min. Setbacks			
• Front	20 feet	5 feet	Y*
• Side	10 feet	23 feet	Y
• Corner	15 feet	13 feet	Y
• Rear	20 feet	76 feet	Y
Max. Lot Coverage	50%	16%	Y

*Pursuant to Title 19.08.030(G), No action by the City in connection with the acquisition or use of right-of-way or the installation of off-site improvements shall have the effect of rendering a previously conforming lot or structure nonconforming as to lot width, lot area or setback requirements. The front yard setback was reduced to five feet as a result of widening of the Rancho Drive right-of-way.

ANALYSIS

The proposed Tentative Map would combine two existing commercial lots into a single triangularly shaped commercial lot. There are two primary buildings on the site, constructed in 1964 and 1965. The northernmost building has a drive-through lane that wraps around the west and south sides of the structure, abutting the property line along Belrose Street. Several other structures are located on the site, including two trash enclosures, an accessory storage shed, several freestanding signs, and above-ground utility poles and boxes. The site is currently parking-impaired. The site conforms to setback requirements per Title 19.08.030(G).

FINDINGS

•General information

The subject property is located within the boundaries of the Las Vegas Redevelopment Area and is designated SC (Service Commercial) by the Southeast Sector Land Use Map of the General Plan. The SC (Service Commercial) designation generally allows uses contained within the C-1 (Limited Commercial), N-S (Neighborhood Service), C-D (Designed Commercial), O (Office) and P-R (Professional Office and Parking) zoning districts. The site is currently zoned C-1 (Limited Commercial). Access to the site is from two existing driveways located on Belrose Street and two existing driveways from Rancho Drive, both public streets. Mapping of the site will not affect the circulation of traffic on the existing properties or traffic in the vicinity of the site.

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•Cross Section

The site is already developed and will not deviate from the existing grade as a result of the proposed subdivision map. There are no perimeter walls on the site, nor are any planned.

•Trails

There are no trails designated by the city's 2020 Master Plan adjacent to the subject site.

•Special Conditions of Approval

There is no documented Site Development Plan Review associated with development on the site and therefore no special conditions of approval apply to the site. The purpose of the Tentative Map request is to create a one-lot commercial subdivision.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

N/A

APPROVALS

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PROTESTS

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