



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 26, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: FROM DIAPERS TO DORMS - OWNER:
BARBARA ANN ALUFFI TRUST U/A/D 02/06/2002, ET AL**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38815	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38815 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.
2. 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.
3. 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
August 26, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 1,400 square-foot Secondhand Dealer (Children's Items) within a 40,442 square-foot commercial development located at 7501 North Cimarron Road, Suite # 106. The subject location of the proposed use is a vacant suite within a commercial subdivision. Staff recommends approval of this request, as it can be conducted in a manner that is compatible with the surrounding uses; and the subject site is a commercial subdivision developed to accommodate a variety of uses. If this application is denied, the suite would remain vacant.

ISSUES

- The use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- There will be no external drop-off of secondhand merchandise.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
07/18/90	The City Council approved a request to Rezone this property from R-E (Residence Estates) to C-1 (Limited Commercial) as part of a larger request (Z-0075-90).
07/01/92	The City Council approved a request for an Extension of Time on an approved Rezoning [Z-0075-90(2)].
12/01/99	The City Council approved a request for a Site Development Plan Review [Z-0075-90(17)] on this property for a proposed 40,442 square foot commercial center, which includes a convenience store with gasoline sales and the sale of beer and wine for off-premise consumption, a fast food restaurant, a restaurant with a tavern, and retail shops.

<i>Most Recent Change of Ownership</i>	
03/10/10	A deed was recorded for a change in ownership.

Staff Report Page Two
August 26, 2010 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
11/06/00	A building permit (20246) was issued for a shell retail building at 7501 North Cimarron Road. The permit was finalized on 04/17/02.
10/16/02	A building permit (2018754) was issued for a Tenant Improvement for Certificate of Completion at 7501 North Cimarron Road, Suite # 106. The permit was finalized on 12/17/02.
12/15/05	A building permit (5008825) was issued for a Non-work Certificate of Occupancy at 7501 North Cimarron Road, Suite # 106. The permit was finalized on 01/10/06.
01/20/06	A business license (F11-00127) was issued for a Specialty Food Store at 7501 North Cimarron Road, Suite # 106. The license was marked out of business on 08/28/09.
<i>Pre-Application Meeting</i>	
06/23/10	A pre application meeting was held with the applicant where the submittal requirements for a Special Use Permit were discussed.

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

<i>Field Check</i>
07/22/10 Staff conducted a field check and noted a well maintained commercial retail center, free of trash and debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.40

<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	Commercial Center	PCD (Planned Community Development)	C-1 (Limited Commercial)
North	Single-Family Residences	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
South	Single-Family Residences	PCD (Planned Community Development)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

Staff Report Page Three
August 26, 2010 - Planning Commission Meeting

East	Single-Family Residences	PCD (Planned Community Development)	R-PD6 (Residential Planned Development – 6 Units Per Acre)
West	Single-Family Residences	PCD (Planned Community Development)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

<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

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	
Shopping Center	40,442 SF	1/250 SF	162		217		Y
TOTAL SPACES REQUIRED			168		228		Y
TOTAL (With Handicapped)			162	6	217	11	Y

ANALYSIS

A Secondhand Dealer is defined by Title 19 as “a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind.” The applicant states that no donation drop box of any type will be used at the proposed location, as merchandise will be obtained directly from customers and online sites, such as E-Bay.

Staff Report Page Four
August 26, 2010 - Planning Commission Meeting

The proposed use meets all of the minimum Special Use Permit requirements of Title 19.04 for a Secondhand Dealer, and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. Therefore, staff recommends approval.

FINDINGS (SUP-38815)

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 within a commercial retail center. The proposed use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the uses on adjacent properties.

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 the proposed use, as the commercial center has more parking available than required per Title 19.10 parking standards.

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.

Site access is provided from Farm Road and Cimarron Road; both are 80-foot Secondary Arterials, as designated in the Master Plan of Streets and Highways. These roadways are adequate in size to meet the requirement, of the proposed Secondhand Dealer 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.

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

The proposed use meets all applicable requirements for Secondhand Dealer and complies with the minimum Special Use Permit Requirements.

Staff Report Page Five
August 26, 2010 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 563

APPROVALS 2

PROTESTS 1