



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 23, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: OPPORTUNITY VILLAGE, ARC - OWNER:
AFTON MEADOWS, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-39219	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-39219 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Thriftshop, Non-Profit 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. No outside display, sales or storage of merchandise shall be permitted.
4. Donations shall only be delivered and accepted during hours of operation.
5. The site shall remain free of trash, rubble and graffiti at all times.
6. 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.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. 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

Opportunity Village is a non-profit organization established to assist developmental disabled people to contribute and function in society. The organization accepts donations of clothing, household goods and furniture for re-sale to the community. The organization was forced to find a new location after a fire gutted their current Main Street location in downtown. The proposed site has been utilized as a retail establishment for over thirty years and thus the proposed use is compatible for the location. The applicant states that the hours of operation will be 9:00 a.m. to 6:00 p.m. Monday thru Saturday and 10:00 a.m. to 4:00 p.m. on Sunday. Staff recommends approval with conditions. If denied, Opportunity Village would not be able to operate at this location.

ISSUES

- Title 19.04 allows Thrift Shop, Non-Profit use in a C-1 (Limited Commercial) Zone with an approved Special Use Permit.
- No outside display, storage or sales are permitted; this is a non-waivable Special Use Permit Requirement.
- The delivery of donations will be limited to the hours of operation only as stated by the applicant.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/23/74	The City Council denied Rezoning (Z-0102-73) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) for a regional shopping mall. The Planning Commission recommended approval.
02/04/74	The Eighth Judicial District Court of the State of Nevada ordered the City to grant the Rezoning (Z-0102-73) application.

<i>Most Recent Change of Ownership</i>	
05/13/83	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
1980	The building was constructed in 1980 for a J.C. Penny's retail store.
02/10/09	The City's Code Enforcement division closed a violation (#73835) for trash/graffiti/landscaping.

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<i>Pre-Application Meeting</i>	
08/20/10	Staff reviewed the requirements for a Special Use Permit application. No specific concerns were raised at this time.

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

Field Check	
08/19/10	Staff conducted a field inspection of the subject site. The site was vacant and free of graffiti; however, there were small piles of rubble at the rear of the building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.75 acres

<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	SC (Service Commercial)	C-1 (Limited Commercial)
North	US-95 Right-of-Way	US-95 Right-of-Way	US-95 Right-of-Way
South	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (140' Airport Overlay) District	X		Y
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

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<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Meadows Lane	N/A	73 feet	Y

DEVELOPMENT STANDARDS

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

Pursuant to Rule 13-04 and 13-10, 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	25,062 SF	1 per 250 SF	101		111		Y
TOTAL SPACES REQUIRED			101		111		Y
Regular and Handicap Spaces Required			96	5	106	5	Y
Loading Spaces	25,062 SF	2 per 10,000 – 29,999 SF	2		2		Y

ANALYSIS

This is a request for a Special Use Permit for a Thrift Shop, Non-Profit use for Opportunity Village. The applicants' current location at 915 S. Main Street suffered a devastating fire in June requiring the relocation of the store. Title 19 allows a Thrift Shop, Non-Profit use in the C-1 (Limited Commercial) district with an approved Special Use Permit. There is a minimum Special Use Permit Requirement that prohibits all outdoor display, sales or storage of merchandise. This provision is not waivable. The applicant is proposing the use of storage bins in the rear of the store for donations. This will not be permitted. However, the applicant also states that the majority of donations are picked-up by Opportunity Village trucks. There will be a specific condition that prohibits the outside storage of merchandise that will include all donations.

The site is subject to a 140-foot Airport Overlay. This proposal does not adjust the height of the building and thus the overlay requirement is met.

FINDINGS (SUP-39219)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

YK

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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 Thrift Shop, Non-Profit use can be conducted in a manner that is harmonious and compatible with the existing surrounding commercial uses.

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

The site was designed for a large retail establishment with ample parking for the size of the project.

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 via Meadows Lane, which will be adequate to meet the requirements of the Thriftshop, Non-Profit 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.

If approved, the proposed use on the site will be subject to periodic inspection by business licensing inspectors, and it will therefore not compromise the public health, safety and welfare, or the overall objectives of the General Plan.

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

The proposed Thrift Shop, Non-Profit use meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 154

APPROVALS 0

PROTESTS 0