



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 8, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: RODO, LLC - OWNER: J & L PROPERTY LEASING, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-40771	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-40771 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Motor Vehicle Sales (Used) use.
2. Conformance to the approved conditions for Rezoning (Z-0051-95), Rezoning (Z-0001-97) and Plot Plan Review (Z-0051-95).
3. 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.
4. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of a business license.
5. Prior to issuance of a business license, a revised site plan shall be submitted to the Department of Planning depicting at least one van accessible handicapped parking space pursuant to the standards of Title 19.10.

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6. Pursuant to Title 19.10.030, a Test Driving Route Plan shall be submitted for approval to the City of Las Vegas Department of Planning prior to issuance of a business license.
7. 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.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.
10. 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 11,361 square-foot Motor Vehicle Sales (Used) use at 5600 West Sahara Avenue. The subject property contains existing buildings that were previously approved through Plot Plan Review (Z-0051-95) for a Motor Vehicle Sales (Used) use in 1995. Special Use Permit (U-0073-97) was approved in 1997 for automobile and truck rentals in conjunction with an existing used car dealership. Staff recommends approval of this request, as it can be conducted in a manner that is compatible with the surrounding uses. If this application is denied, the Motor Vehicle Sales (Used) use would not be permitted at this location.

ISSUES

- A Motor Vehicle Sales (Used) use is permitted in the C-2 (General Commercial) Zoning District with the approval of a Special Use Permit.
- The approved Plot Plan Review (Z-0051-95) for a Motor Vehicle Sales (Used) use expired on 10/22/10, since the business license was marked out of business on 10/22/09. Pursuant to Title 19.18.060(P) 2b; such use ceases for twelve months a new Special Use Permit is required.
- This item has been deemed a Project of Regional Significance.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
08/02/95	The City Council approved a request to amend the Southwest Sector General Plan designation (GPA-0033-95) of the south portion of this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial and staff recommended approval.
	The City Council approved a request to rezone (Z-0051-95) the south portion of this property from N-U (Non-Urban) to C-2 (General Commercial) and a Plot Plan Review for a Used Car Dealership. The Planning Commission recommended denial and staff recommended approval.
03/10/97	The City Council approved a request to amend (GPA-1-97) the Southwest Sector General Plan designation of the north portion of this property from DR (Desert Rural Density Residential) to GC (General Commercial). The Planning Commission and staff recommended approval.
03/10/97	The City Council approved a request to rezone (Z-0001-97) the north portion of this property from R-E (Residence Estates) to C-2 (General Commercial). The Planning Commission and staff recommended approval.

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04/08/97	Per a letter from Planning & Development Department staff, relief was granted from conditions of approval of (Z-0051-95) requiring an eight-foot decorative wall with a 10-foot landscape planter along the north property line of APN 163-01-404-021 due to the planned expansion of the auto dealership to include additional parking.
10/13/97	The City Council approved a request for a Special Use Permit (U-0073-97) on property located at 5600 West Sahara Avenue for automobile & truck rentals in conjunction with an existing used car dealership. The Planning Commission and staff recommended approval.
11/23/97	The City Council approved a One Year Required Review [U-0073-97 (1)] of an approved Special Use Permit (U-0073-97), which allowed automobile and truck rentals in conjunction with an existing used car dealership on the subject property. No further reviews were required.
09/21/05	The City Council approved a Request (ROC-7652) for a Review of Condition Number 6 of an approved Rezoning (Z-0051-95) to allow 7,438 square feet of office/showroom space where 6,000 square feet was required and a two story, 22,195 square foot service facility where an 11,000 square foot building was allowed on 2.55 acres at 5650 West Sahara Avenue.
11/16/05	The City Council approved a Special Use Permit (SUP-7649) for an Auto Repair Garage, Minor at 5600 West Sahara Avenue. The Planning Commission recommended approval and staff recommended denial. The use was not exercised.

<i>Most Recent Change of Ownership</i>	
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11/07/05	A deed was recorded for a change in ownership.
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<i>Related Building Permits/Business Licenses</i>	
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05/03/96	A building permit (#96393984) was issued for a Certificate of Occupancy for a sales office at 5600 West Sahara Avenue. The permit was finalized on 06/18/97.
05/06/96	A building permit (#96393983) was issued for a repair garage at 5610 West Sahara Avenue. The permit was finalized on 06/18/97.
06/11/97	A business license (A16-01172) was issued for new and used car sales Budget Rent a Car & Sales at 5600 West Sahara Avenue. The license was purchased by World Kia on 02/24/05 and marked out of business on 10/22/09.
09/15/97	A business license (A19-00121) was issued for car rental at 5600 West Sahara Avenue. The license is still active.

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<i>Pre-Application Meeting</i>	
12/03/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Motor Vehicle Sales (Used) use.

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

<i>Field Check</i>	
01/26/11	During a site visit, staff noted a vacant Motor Vehicle Sales (Used) lot, with a few vehicles for rent and service bays that were clean and free of debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.41

<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	Automobile Rental	GC (General Commercial)	C-2 (General Commercial)
North	Clark County - Single Family Residence	RN (Rural Neighborhood)	R-E (Rural Estates)
South	Clark County - Motor Vehicle Sales (New) and (Used)	GC (General Commercial)	C-2 (General Commercial)
East	Motor Vehicle Sales (New) and (Used)	GC (General Commercial)	C-2 (General Commercial)
West	Auto Repair Garage, Major	GC (General Commercial)	C-2 (General Commercial)
	Motor Vehicle Sales (New) and (Used)		

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<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		Y

DEVELOPMENT STANDARDS

<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>
<i>Sahara Avenue</i>	Primary Arterial	Master Plan of Streets and Highways	150	Y
<i>Westwind Road</i>	N/A	N/A	60	N/A

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

<i>Parking Requirement</i>							
<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	
Motor Vehicle Sales, (Used)	11,191 SF	1/500 SF	23				
TOTAL SPACES REQUIRED			23		251		Y
Regular and Handicap Spaces Required			22	1	249	2	N

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ANALYSIS

A Motor Vehicle Sales (Used) use is defined by Title 19.20.020 as “a facility or area used primarily for the display and sale (or leasing) of used automobiles, motorcycles and motor scooters, but excluding mopeds. The term includes service bays and auto body shops which are incidental and accessory to the sales use.” The applicant is proposing a Motor Vehicle Sales (Used) use including service bays and automobile financing on property that was formerly a Motor Vehicle Sales (Use) use but the use expired on 10/22/10 after being discontinued for one year. A condition of approval has been added to address the mapping action necessary to consolidate the existing lots, and a Test Driving Route Plan shall be submitted for an approval prior to the issuance of a business license. The applicant has indicated that no loudspeakers will be used. The submitted site plan indicates a vehicle display area that does not encroach into the landscape buffer. The site can be accessed via Sahara Avenue or Westwind Road for deliveries, with ample space for vehicle deliveries and turnout for trucks. The proposed use complies with Title 19.04 minimum Special Use Permit Requirements and can be conducted in a manner that is compatible with existing and surrounding land uses as the use previously approved and operated as a Motor Vehicle Sales (Used) use from 1997 until 2009; therefore, staff recommends approval with conditions.

FINDINGS (SUP-40771)

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 on a former Motor Vehicle Sales (Used) site. The proposed use can be conducted in a manner that is harmonious and compatible with the existing and future uses.

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

The subject site has adequate parking, including display spaces, and floor area to provide facilities for the Motor Vehicle Sales (Used) use. A condition has been added to require handicapped parking spaces to conform to the requirements of Title 19.10.

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.

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The site is accessed by Sahara Avenue and Westwind Road. These streets are of sufficient size to accommodate the needs of the proposed Motor Vehicle Sales (Used) 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 for business licensing.

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

The proposed use complies with the minimum Special Use Requirements for a Motor Vehicle Sales (Used) use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED

101

APPROVALS

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PROTESTS

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