



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: SA RECYCLING - OWNER: 1701 WESTERN AVENUE, LLC, ET AL

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
VAR-41002	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

VAR-41002 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of Las Vegas Municipal Code Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All necessary building permits for the subject wall shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
 April 12, 2011 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow the installation of two feet of razor wire on top of an existing eight-foot high steel wall, where eight feet is the maximum height allowed for walls at an existing Recycling Collection Center located at 1701 Western Avenue. The subject site is currently surrounded by an eight-foot high steel wall that has proven ineffective against problems with site trespassing and vandalism, as the property is located adjacent to a railroad corridor that provides greater access to the site while limiting the ability to monitor activity from the public right-of-way. The applicant proposes to increase the eight-foot high steel wall by installing two feet of razor wire on top in order to prevent unauthorized site access. Staff recommends approval of this request. If denied, the applicant will be unable to incorporate the razor wire to the steel fence for site security.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/07/06	The City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation for various parcels located in the Las Vegas Redevelopment Plan Area to Commercial, Mixed-Use, Industrial or Public Facilities, which includes the subject parcels as part of a larger request. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
05/21/08	A deed was recorded for a change in ownership at APN 162-04-703-001.
05/21/08	A deed was recorded for a change in ownership at APN 162-04-703-002.
08/12/08	A deed was recorded for a change in ownership at APN 162-04-703-003.

<i>Related Building Permits/Business Licenses</i>	
C.1956	The structures at 1701 Western Avenue were constructed.
07/18/97	A building permit (97014775) was issued for a metal building at 1701 Western Avenue. The permit was finalized on 08/27/97.
10/30/02	A business license (A29-00053) was issued for a Towing Company at 1701 Western Avenue. The license was marked out of business on 03/04/10.
06/29/10	A building permit (166376) was issued for demolition at 1701 Western Avenue. The permit was finalized on 10/01/10.

Staff Report Page Two
April 12, 2011 - Planning Commission Meeting

07/21/10	A building permit (167156) was issued for a 4,671 square-foot Tenant Improvement Certificate of Occupancy at 1701 Western Avenue. The permit was finalized on 09/24/10.
08/23/10	A building permit (170176) was issued for Ornamental Iron on top of the existing block wall at 1701 Western Avenue. The permit has not been finalized.
12/07/10	A business license (R04-00003) was issued for a Commercial Recycler at 1701 Western Avenue. The license is currently active.

<i>Pre-Application Meeting</i>	
02/09/10	A pre-application meeting was held on the indicated date where the requirements for a Variance were discussed, as the existing 8-foot high perimeter wall will increase two feet beyond the allowed height.

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

<i>Field Check</i>	
03/03/11	Staff conducted a field check on the indicated date and noted. A Recycling Collection Center that is clean of trash and debris. The north and west perimeter wall contains graffiti. A partially destroyed chain link fence along the northern property line.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.31

<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	Recycling Collection Center	LI/ (Light Industry/Research)	M (Industrial)
North	Retail Shops and Offices	LI/ (Light Industry/Research)	M (Industrial)
South	Building Supplies and Hardware Sales	LI/ (Light Industry/Research)	M (Industrial)
East	Print Shop Office/ Industrial Complex	LI/ (Light Industry/Research)	M (Industrial)
West	Office Complex	LI/ (Light Industry/Research)	M (Industrial)

Staff Report Page Three
April 12, 2011 - Planning Commission Meeting

<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			
A-O (Airport Overlay) District (200 feet)	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to 19.12.075, the following standards apply:

	Allowed	Proposed
Wall Height	8 Feet (96 inches)	10 Feet (120 inches)
Percent Deviation	N/A	20 %

<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>
Western Avenue	Secondary Collector	Master Plan of Streets and Highways	80	N*

*Actual street width is 60 feet.

ANALYSIS

The Variance request is necessary pursuant to Title 19.12.075, which limits walls and fences to eight feet in height. The subject site is currently surrounded by an eight-foot high steel wall that has proven ineffective against problems with site trespassing and vandalism, as the property is located adjacent to a railroad corridor that provides greater access to the site while limiting the ability to monitor activity from the public right-of-way. The proposed two-foot razor wire extension will increase the level of site security without creating a public safety hazard, as the razor wire will not be visible from the adjacent rights-of-way. The requested Variance constitutes a 20% deviation from the eight-foot wall height permitted by Title 19.12.075. Staff recommends approval of this request with conditions. If denied, no permit to allow razor wire can be issued.

Staff Report Page Four
April 12, 2011 - Planning Commission Meeting

FINDINGS (VAR-41002)

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

Evidence of a unique or extraordinary circumstance has been presented, in that the applicant has demonstrated that the location of the site in proximity to a railroad corridor that allows access to the site while limiting the ability to monitor the site from the public right-of-way has resulted in an ongoing issue with unauthorized site access and vandalism to the Recycling Collection Center holdings. It is concluded that the applicant’s hardship is not preferential in nature, and it is within the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 132

APPROVALS 0

PROTESTS 0