



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JULY 12, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: WELLES BAIL BONDS - OWNER: 228 SOUTH FOURTH, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41866	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41866 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Bailbond Service use.
2. Conformance to the approved conditions for Rezoning (Z-0037-53) and Variance (V-0024-53).
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. The Bailbond Service use shall be limited to the 217 square-foot office space, as depicted on the floor plan date stamped 05/23/11.
5. 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 Department of Building and Safety.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

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7. 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 217 square-foot Bailbond Service at 228 South Fourth Street. The proposed use complies with all Title 19.12 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Bailbond Service use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

ISSUES

- A Bailbond Service use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- The site is parking impaired, per Title 19.18.030.D(1) and has no on-site parking.
- The subject site is located in the Downtown Centennial Plan area in close proximity to the courthouse and detention facilities.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/28/53	The Regional Planning Commission approved a request for a Variance (V-0024-53) to construct and maintain a professional office building and apartment building on South 4 th Street between Carson Avenue and Bridger Avenue within four feet seven inches of the front property line.
05/29/53	The Regional Planning Commission approved a request for Rezoning (Z-0037-53) from R-4 (Apartment Residence) to C-2 (General Commercial) for property located at 222 and 228 South 4 th Street as part of a larger request.

<i>Most Recent Change of Ownership</i>	
01/27/05	A deed was recorded for a change in ownership for (APN's 139-34-210-079).

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<i>Related Building Permits/Business Licenses</i>	
C.1963	The building at 228 South Fourth Street was constructed.
C.1972	The parking lot at 222 South 4 th Street was constructed.
10/16/08	A business license (Q13-00887) was issued for a Law Office at 228 South Fourth Street, Suite #200. The license is presently active.
11/19/08	A business license (Q13-00946) was issued for a Law Office at 228 South Fourth Street, Suite #200. The license is presently active.
12/08/08	A business license (Q13-00397) was issued for a Law Office at 228 South Fourth Street. The license is presently active.
10/28/10	A business license (B20-01903) was issued for a Business Support Service at 228 South Fourth Street, Suite #300. The license is presently active.
11/01/10	A business license (Q13-01362) was issued for a Law Office at 228 South Fourth Street, Suite #100. The license is presently active.

<i>Pre-Application Meeting</i>	
03/24/11	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 is not required, nor was one held.	

<i>Field Check</i>	
06/06/11	During a site visit, staff noted a clean and well maintained office building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.17

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Office/Retail	C (Commercial)	C-2 (General Commercial)
North	Parking, Commercial	C (Commercial)	C-2 (General Commercial)
South	Financial Institution, Specified	C (Commercial)	C-2 (General Commercial)
East	Banquet Facility	C (Commercial)	C-2 (General Commercial)
West	Banquet Facility	C (Commercial)	C-2 (General Commercial)

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Downtown Centennial Plan (Central Casino Core)	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Centennial Plan Overlay District	X		Y
A-O (Airport Overlay) District (200 feet)	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

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
4 th Street	Secondary Collector	Master Plan of Streets and Highways	80	Y

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other than Listed (Existing)	13,981 SF	1/300 SF	47				
Office, Other than Listed (To Be Removed)	(-217) SF	1/300 SF	-1				
BailBond Service (Proposed)	217 SF	1/300 SF	1				
TOTAL SPACES REQUIRED			48		0		N
Regular and Handicap Spaces Required			46	2	0	0	N*

*The site is parking impaired, per Title 19.18.030.D(1)

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Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements. However, the above table should be used to illustrate the requirements of an analogous project in another location in the City. The analysis should take a number of factors into consideration when discussing parking availability, including pedestrian access, nearby parking structures, on-street parking, etc.

ANALYSIS

The applicant is proposing to establish a Bailbond Service use within an existing Office Building. A Bailbond Service use is defined by Title 19.18.020 as “an establishment that makes available to the public undertakings of bail in connection with judicial proceedings.”

The proposed Bailbond Service use requires approval of a Special Use Permit within a C-2 (General Commercial) zoning district. The subject site is located within the Downtown Redevelopment Area and major land uses permitted within the Redevelopment Area include: Residential, Industrial, Commercial, Public/Semipublic and Park/Open Space. The property is within the Airport Overlay District (200 feet), Live/Work Overlay District and the Central Casino Core District of the Downtown Centennial Plan Overlay; however, the proposed use is for a Bailbond Service and with the exception of the Downtown Centennial Plan the overlay district standards are not applicable. A condition has been added to indicate the location of the proposed Bailbond Service use to be limited to an office space on the floor plan date stamped 05/23/11. The proposed use meets all applicable requirements as set forth pursuant to Title 19.12 requirements, is located in close proximity to the courthouse and detention facilities, and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore staff recommends approval with conditions of this request.

FINDINGS (SUP-41866)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Bailbond Service use can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses.

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

The proposed Bailbond Service use will be located within an existing office building. The proposed use is appropriate in the subject C-2 (General Commercial) zoning designation and is consistent with other Bailbond Service uses in the area.

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.

The subject site is accessed by Fourth Street. Fourth Street is sufficient to accommodate the number of vehicular trips associated with the proposed 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 Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

5.The use meets all of the applicable conditions per Title 19.12.

The proposed Bailbond Service use meets all applicable requirements as set forth pursuant to Title 19.12 requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

33

NOTICES MAILED

91

APPROVALS

0

PROTESTS

1