



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 11, 2013

DEPARTMENT: PLANNING

**ITEM DESCRIPTION: APPLICANT: ABOVE THE LIGHTS BONANZA CAT HOSPITAL
- OWNER: 2010-1 RADC CADC VENTURE, LLC**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-49177	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-49177 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Animal Hospital, Clinic, or Shelter (Without Outside Pens) use.
2. 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.
3. A Waiver from Title 19.12 is hereby approved, to allow an Animal Hospital, Clinic, or Shelter (Without Outside Pens) use to be located on a 70-foot wide street, where 80-foot is the minimum allowed by code.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One
June 11, 2013 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is applying for a Special Use Permit for a cat hospital business to be located in the Suburban Mixed Use district of Town Center. The subject building located at 6620 Sky Pointe Drive is a vacant new building. All conditions are being met with the proposed Animal Hospital, Clinic, or Shelter (Without outside Pens) with the exception of being located on a street that is less than 80-foot wide. Since the Town Center Development Standards indicate that Sky Pointe Drive is a Town Center Loop Road to be developed as a 90-foot wide right-of-way, it may be enhanced in the future. Therefore, staff is able to support the required waiver and recommend approval with conditions. If denied, a cat hospital could not be located on this parcel.

ISSUES

- A cat hospital is allowed in the SX-TC (Suburban Mixed Use – Town Center) district with an approved Special Use Permit. Staff supports this request.
- A Waiver is requested to allow an Animal Hospital, Clinic, or Shelter (Without Outside Pens) to be located on a 70-foot wide street, where an 80-foot width is the minimum allowed. Staff supports this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/27/97	The City Council approved Annexation (A-0024-96) of 34.07 acres adjacent to the southeast corner of Deer Springs Way and Rancho Drive. The Planning Commission and staff recommended approval. The effective date was 06/06/97.
09/09/98	The City Council approved a request for Rezoning (Z-0036-98) from: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to: PD (Planned Development) for a proposed 69,500 square-foot commercial complex and a 352-unit multi-family residential development adjacent to southeast corner of Deer Springs Way and Rancho Drive. The Planning Commission and staff recommended denial.
12/07/98	The City Council approved a request for Rezoning (Z-0076-98) of a 1,468-acre portion of the Centennial Hills area, including the subject property, to T-C (Town Center) as part of a larger request. The Planning Commission and staff recommended approval.

Staff Report Page Two
June 11, 2013 - Planning Commission Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/22/04	The Centennial Hills Architectural Review Committee (CHARC) approved a Master Sign Plan (CHR-0016-04) for an office/retail center for this site as part of a larger request. Staff recommended approval.
01/12/06	The Planning Commission approved Site Development Plan Review (SDR-8967) for two retail buildings totaling 10,150 square feet and waivers of the Town Center Development Standards for parking area and building foundation landscaping requirements at 6620 Sky Pointe Drive. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
01/21/11	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
07/09/07	A building permit (7002173) was issued for retail shell building "A" for a C/C (Certificate of Completion). The permit was final on 01/30/09.

<i>Pre-Application Meeting</i>	
04/10/13	Staff met with the applicant and reviewed the requirements for an Animal Hospital without outside pens. The proposed use will require a Special Use Permit in the SX-TC (Suburban Mixed Use-Town Center) zoning district.

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

<i>Field Check</i>	
05/02/13	Staff visited the site and found a clean, well maintained vacant building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.98

Staff Report Page Three
June 11, 2013 - Planning Commission Meeting

<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	Vacant	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
North	Undeveloped	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
South	General Retail	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
East	Office, Other Than Listed	SX-TC (Suburban Mixed Use-Town Center)	T-C (Town Center)
West	U.S. 95	U.S. 95	U.S. 95

<i>Master Plan Areas</i>	<i>Compliance</i>
Town Center Master Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
T-C (Town Center) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Town Center Loop Trail)	Y
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	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>
Sky Pointe Drive	Town Center Loop	Town Center Development Standards Manual	70	N*
	Frontage Road	Master Plan of Streets and Highways		Y

*Should be 90-foot wide

Staff Report Page Four
June 11, 2013 - Planning Commission Meeting

Pursuant to Title 19.08 and 19.12, 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	
Animal Hospital, Clinic, or Shelter (with no Outside Pens)	6,925 SF (six exam rooms, two doctors and three staff)	1/ 2 on-duty employees , plus 1/doctor and 1/exam room	10				
General Retail Store, Other Than Listed	3,225 SF	1/175 SF	19				
TOTAL SPACES REQUIRED			29				
Regular and Handicap Spaces Required			27	2	44	3	Y
Loading Spaces	10,150 SF	2/10,000 to 29,999 SF	2		2		Y

Waivers		
Requirement	Request	Staff Recommendation
That an Animal Hospital, Clinic, or Shelter (Without Outside Pens) be located on an 80-foot wide street.	To allow an Animal Hospital, Clinic, or Shelter (Without Outside Pens) be located on a 70-foot wide street.	Approval

ANALYSIS

An Animal Hospital, Clinic, or Shelter (Without Outside Pens) is defined as “A facility that: 1. Provides medical or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment; 2. Does not use outdoor pens in providing such shelter and care.” The proposed use meets the definition as the applicant has stated in their justification letter that there will be no outside pens and that the use is for a cat hospital.

Staff Report Page Five
June 11, 2013 - Planning Commission Meeting

The Minimum Special Use Permit Requirements for this use in Town Center include:

1. Animals shall be confined within an enclosed building at all times.
The proposed use meets this requirement as indicated in the justification letter.
2. The building shall be designed to provide complete sound barriers and odor protection for adjacent properties.
The proposed use meets this requirement as reflected in the floor plan and the justification letter.
3. Rooms containing cages or pens are not permitted to have windows, doors or other penetrations on exterior walls adjacent to residences.
The proposed use meets this requirement as reflected in the floor plan provided with this application.
4. The use shall have access to an 80-foot street or larger.
The proposed use does not meet this requirement as it is located on a 70-foot wide street. A waiver has been requested. Sky Pointe was and still is designated as a Town Center Loop Road to be developed as a 90-foot wide street. However, the street has already been constructed as a City of Las Vegas 70-foot wide Frontage Street; therefore, staff supports the request.

Sky Pointe Drive is designated as a Town Center Loop Road to be developed as a 90-foot wide street per the Town Center Development Standards. The road is a fully developed 70-foot wide road and the fact that it is designated as a future 90-foot wide road allows staff to support the requested waiver.

There is ample parking as reflected in the parking table above. The Animal Hospital, Clinic, or Shelter (Without Outside Pens) use will be the first use in this new building and will utilize the entire space. This will allow the tenant to build-to-suit when applying for the Tenant Improvement permit(s). The floor plan submitted with this application indicates that rooms with cages do not have windows or doors to the outside as required by code. Staff recommends approval of the application, with conditions for an Animal Hospital, Clinic, or Shelter (Without Outside Pens) at this location.

FINDINGS (SUP-49177)

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.**

Staff Report Page Six
June 11, 2013 - Planning Commission Meeting

The proposed cat hospital can be conducted in a harmonious and compatible manner with the surrounding commercial land uses as it is meeting all minimum standards for the use with the approval of the waiver to allow the use to be located on a 70-foot wide street.

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

The proposed Animal Hospital, Clinic, or Shelter (Without Outside Pens) use will be located in an existing 6,925 square-foot building that is suitable for the type and intensity of the use.

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 project is located on Sky Pointe Drive, A 70-foot Frontage Road as designated by the Master Plan of Streets and Highways.

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 this Special Use Permit will not compromise public health, safety, or welfare or the overall objectives of the General Plan as the proposed Animal Hospital, Clinic, or Shelter (Without Outside Pens) use will be subject to regular inspections.

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

The proposed use fails to meet all Minimum Special Use Requirements for an Animal Hospital, Clinic, or Shelter (Without Outside Pens) use, as evidenced by the requested Waiver.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

28

NOTICES MAILED

556

APPROVALS

0

PROTESTS

0