



## AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 12, 2014

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: HABITAT FOR HUMANITY LAS VEGAS, INC -  
OWNER: SAHARA CROSSING, LP

### **\*\* STAFF RECOMMENDATION(S) \*\***

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>                             | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|---------------------------------------------------|----------------------------------|
| <b>SUP-54827</b>       | Staff recommends APPROVAL, subject to conditions: | N/A                              |

### **\*\* CONDITIONS \*\***

## **SUP-54827 CONDITIONS**

### *Planning*

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Thrift Shop use.
2. All signage shall be permitted and meet minimum code requirements within 30 days of final approval.
3. Conformance to the approved conditions for Special Use Permit (SUP-45965).
4. 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.
5. 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.

**Conditions Page Two**  
**August 12, 2014 - Planning Commission Meeting**

6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
7. This business shall operate in conformance to Chapter 6 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Staff Report Page One**  
**August 12, 2014 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant has requested a Major Amendment to an approved Special Use Permit (SUP-45965) to add approximately 12,770 square-foot of additional space to a Thrift Shop use at 4580 West Sahara Avenue, Suite #120. The requested area will expand an existing not-for-profit Thrift Shop from 13,948 square feet to 26,718 square feet. Staff recommends approval of the proposed amendment, as the expansion meets the minimum Title 19.12 requirements for a Thrift Shop use and can be conducted in a harmonious and compatible manner with the surrounding area. If denied, the applicant will not be allowed to expand the use; however, the existing 13,948 square-foot Thrift Shop may remain open at 4580 West Sahara Avenue, Suite #120.

**ISSUES**

- A Major Amendment to an approved Special Use Permit (SUP-45965) is required to expand an existing Thrift Shop use by more than 50 percent in the C-1 (Limited Commercial) zoning district.

**BACKGROUND INFORMATION**

| <i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</b></i> |                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/05/87                                                                 | The City Council approved a Rezoning (Z-0057-87) request from R-1 (Single Family Residence), R-3 (Limited Multiple Residence) and C-1 (Limited Commercial) to C-1 (Limited Commercial) for this site as part of a larger overall request. The Planning Commission recommended approval. |
| 05/12/88                                                                 | The Planning Commission approved a Plot Plan Review (Z-0057-87) request for a Shopping Center on the property located on the northeast corner of Decatur Boulevard and Sahara Avenue under Resolution of Intent to C-1 (Limited Commercial). Staff recommended approval.                |
| 01/24/08                                                                 | The Planning Department administratively approved a Site Development Plan Review (SDR-25837) request for proposed exterior modifications to an existing shopping center at 4580 West Sahara Avenue.                                                                                     |
| 12/13/11                                                                 | The Planning Commission approved a Special Use Permit (SUP-43700) request for a Thriftshop, Non-Profit use at 4580 West Sahara Avenue, Suite #110. Staff recommended approval.                                                                                                          |
| 08/14/12                                                                 | The Planning Commission approved a Special Use Permit (SUP-45965) request for a Thriftshop, Non-Profit use at 4580 West Sahara Avenue, Suite #120. Staff recommended approval.                                                                                                          |

**Staff Report Page Two**  
**August 12, 2014 - Planning Commission Meeting**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i></b> |                                                                                                                                                                                                        |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/05/12                                                                 | The City Council adopted Ordinance 6210 that combined and removed a number of land use in Title 19.12. The Thriftshop and Thriftshop, Non-Profit uses were consolidated to become the Thrift Shop use. |

| <b><i>Most Recent Change of Ownership</i></b> |                                                |
|-----------------------------------------------|------------------------------------------------|
| 10/18/2010                                    | A deed was recorded for a change in ownership. |

| <b><i>Related Building Permits/Business Licenses</i></b> |                                                                                                                                                                  |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/10/95                                                 | A building permit (#95372959) was issued for a shell building at 4580 West Sahara Avenue. The permit was finalized on 07/28/95.                                  |
| 11/17/99                                                 | A business license (N36-00006) was issued for a Non-Profit Thrift Store at 4580 West Sahara Avenue, Suite #110. The license is active as of 07/01/14.            |
| 08/15/13                                                 | A building permit (#217747) was issued for a tenant improvement at 4580 West Sahara Avenue, Suite #120. The permit was finalized on 01/09/14.                    |
| 02/28/14                                                 | A business license (N31-90100) was issued for a Non-Profit Thrift Store at 4580 West Sahara Avenue, Suite #120. The license is active as of 07/16/14.            |
|                                                          | A business license (C25-90099) was issued for a Contractor at 4580 West Sahara Avenue, Suite #120. The license is active as of 07/16/14.                         |
| 06/16/14                                                 | A building permit (#262698) was issued for a 13,948 square-foot expansion of 4580 West Sahara Avenue, Suite #120. The permit has not been issued as of 07/16/14. |

| <b><i>Pre-Application Meeting</i></b> |                                                                                                                                                                                                                                                                 |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/24/14                              | A pre-application meeting was conducted with the applicant's designated representative and discussed the Special Use Permit submittal requirement to amend an existing use permit for a not-for-profit Thrift Store use at 4580 West Sahara Avenue, Suite #120. |

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

| <b><i>Field Check</i></b> |                                                                                                                                                                                                                                                           |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/03/14                  | A field inspection was conducted on the subject site, which revealed that the existing thrift shop is in operation and the site is well maintained. It is noted that there are a number of directional signs on site that meet current code requirements. |

**Staff Report Page Three**  
**August 12, 2014 - Planning Commission Meeting**

| <b><i>Details of Application Request</i></b> |      |
|----------------------------------------------|------|
| <b><i>Site Area</i></b>                      |      |
| Net Acres                                    | 6.15 |

| <b><i>Surrounding Property</i></b> | <b><i>Existing Land Use Per Title 19.12</i></b> | <b><i>Planned or Special Land Use Designation</i></b> | <b><i>Existing Zoning District</i></b> |
|------------------------------------|-------------------------------------------------|-------------------------------------------------------|----------------------------------------|
| Subject Property                   | Shopping Center                                 | MXU (Mixed Use)                                       | C-1 (Limited Commercial)               |
| North                              | Multi-Family Residential                        | M (Medium Density Residential)                        | R-3 (Medium Density Residential)       |
| South                              | Shopping Center                                 | MXU (Mixed Use)                                       | C-1 (Limited Commercial)               |
| East                               | Multi-Family Residential                        | M (Medium Density Residential)                        | R-3 (Medium Density Residential)       |
| West                               | Shopping Center                                 | MXU (Mixed Use)                                       | C-1 (Limited Commercial)               |

| <b><i>Master Plan Areas</i></b>                                            | <b><i>Compliance</i></b> |
|----------------------------------------------------------------------------|--------------------------|
| No Applicable Master Plan Area                                             | N/A                      |
| <b><i>Special Purpose and Overlay Districts</i></b>                        | <b><i>Compliance</i></b> |
| No Applicable Special Purpose or Overlay Districts                         | N/A                      |
| <b><i>Other Plans or Special Requirements</i></b>                          | <b><i>Compliance</i></b> |
| Trails                                                                     | N/A                      |
| Las Vegas Redevelopment Plan Area                                          | Y                        |
| Project of Significant Impact (Development Impact Notification Assessment) | N/A                      |
| Project of Regional Significance                                           | Y                        |

***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 |   |
| Shopping Center                      | 74,349                              | 1/250 SF      | 298     |              |         |              |   |
| TOTAL SPACES REQUIRED                |                                     |               | 298     |              | 396     | Y            |   |
| Regular and Handicap Spaces Required |                                     |               | 291     | 7            | 384     | 12           | Y |

**Staff Report Page Four**  
**August 12, 2014 - Planning Commission Meeting**

***Proposed and existing locations and size***

| 4580 West Sahara Avenue | Suite | Size      | Percentage of increase/decrease |
|-------------------------|-------|-----------|---------------------------------|
| Existing                | 120   | 13,948 SF |                                 |
| Proposed                | 120   | 26,718 SF | 91.5 % increase                 |

**ANALYSIS**

Special Use Permit (SUP-54827) was approved for a Thriftshop, Non-Profit use; however, that use has become a Thrift Shop use by Ordinance Number 6210 adopted by the City Council on September 5, 2012. The requirements for the Special Use Permit for a Thriftshop, Non-Profit use and Thrift Shop are the same.

The Thrift Shop use is defined as “A retail facility that sells any new or used merchandise that has been donated to the facility.”

The applicant is a not-for-profit organization with other thrift shops in the valley where donated used merchandise is sold. The applicant plans to expand this location by 12,770 square feet.

The Minimum Special Use Permit Requirements for this use include:

1. No outdoor display or sales of any merchandise shall be permitted (non-waivable condition).

*The proposed use will meet this requirement, as the submitted site plan and floor plan show conformance to this condition, and it is a condition of approval of the Special Use Permit.*

2. The use shall comply with the applicable requirements of LVMC Title 6 (non-waivable condition).

*The proposed use will meet this requirement, as it is a condition of approval of the Special Use Permit.*

3. Donations shall be accepted only during normal business hours, unless otherwise specifically approved in connection with the Special Use Permit. Where after-hours donation of items is approved, donation areas and containers, whether or not enclosed or screened, must be designed so that donated items are not visible to the general public.

*Per the justification letter dated stamped 07/09/1, donated items will only be received Monday thru Friday from 8:00 am to 6:00 pm and Saturday from 9:00 am to 4:00 pm.*

**Staff Report Page Five**  
**August 12, 2014 - Planning Commission Meeting**

The applicant has requested a Major Amendment to an approved Special Use Permit (SUP-45965) to add approximately 12,770 square feet of additional space for a not-for-profit Thrift Shop use. The site is located at 4580 West Sahara Avenue, Suite #120. The requested area will expand an existing tenant space and Thrift Shop use from 13,948 square feet to 26,718 square feet.

The subject site is located within 500 feet of a city boundary and is a Major Amendment to a Special Use Permit; therefore, this is a Project of Regional Significance. The required documents have been completed and distributed to the appropriate agency; however, no responses were received.

Staff recommends approval of the proposed amendment to Special Use Permit (SUP-45965), as the use continues to meet the minimum Title 19.12 requirements for a Thrift Shop use and can continue to be conducted in a harmonious and compatible manner with the surrounding neighborhood. If denied, the applicant will not be allowed to expand the use; however, the existing 13,948 square-foot not-for-profit Thrift Shop may remain open at 4580 West Sahara Avenue, Suite #120.

**FINDINGS (SUP-54827)**

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 expansion of an existing Thrift Shop use can continue to be conducted in compatible and harmonious manner with the existing and future surrounding land uses.

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

The site is physically suitable for the type and intensity of land uses proposed, as the use would be located within an existing multi-tenant building with ample parking. The site is designed to accommodate a number of uses such as offices, retail shops, thrift shops and other uses.

**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.**

**Staff Report Page Six**  
**August 12, 2014 - Planning Commission Meeting**

The site has direct access to Sahara Avenue, which is a 100-foot wide Primary Arterial as classified by the Master Plan of Streets and Highways. The right-of-way provides adequate capacity to serve 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.**

The existing Thrift Shop use is subject to regular inspections and will not compromise the public health and safety.

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

The use meets all Title 19.12 requirements for a Thrift Shop use and no Waivers are required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

34

**NOTICES MAILED** 242

**APPROVALS** 0

**PROTESTS** 0