



## AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 9, 2015

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: NO DRAMA BAIL BONDS - OWNER: PLAZA LAS AMERICAS HOLDINGS, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-59012	Staff recommends APPROVAL, subject to conditions:	

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## SUP-59012 CONDITIONS

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### Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. 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.
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 \*\***

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a proposed Bailbond Service located at 546 North Eastern Avenue, Suite #130, in an existing in line shopping center. The applicant is proposing to operate a 1,380 square-foot Bailbond Service at the subject location. Currently, the suite is vacant. The proposed Bailbond Service is compatible and harmonious with the existing and surrounding land uses, as this location is a commercial area on a major thoroughfare. Staff recommends approval of the request.

**ISSUES**

- A Bailbond Service is allowed in a C-1 (Limited Commercial) district, with an approved Special Use Permit. Staff supports the request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i>	
09/18/02	The City Council approved a Rezoning request (Z-0062-02) from R-E (Residence Estates) to C-1 (Limited Commercial) zone. The Planning Commission and staff recommended approval.
09/06/06	The City Council approved a Site Development Plan Review (SDR-13880) for a 30,904 square-foot retail center. The Planning Commission and staff recommended denial.
	The City Council approved a Variance (VAR-13881) to allow 103 parking spaces where 167 spaces were required in conjunction with a 30,904 square-foot retail center. The Planning Commission and staff recommended denial.
	The City Council approved a Variance (VAR-13881) to allow a 20-foot residential adjacently setback where 70.75 feet was required in conjunction with a 30,904 square-foot retail center. The Planning Commission and staff recommended denial.

<i>Most Recent Change of Ownership</i>	
03/31/10	A deed was recorded for a change in ownership.

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<b><i>Related Building Permits/Business Licenses</i></b>	
05/08/07	A building permit (#7001538) was issued for a building shell at 546 North Eastern Avenue. The permit was finalized on 01/03/08.
	A building permit (#7001536) was issued for on-site improvements at 546 North Eastern Avenue. The permit expired on 11/10/07.
01/03/08	A building permit (#105060) was issued for a Non-Work Certificate of Occupancy at 546 North Eastern Avenue, Suite #130. The permit was finalized on 02/13/08.
08/12/13	A business license (T07-95942) was issued for a Ticket Sales business at 546 North Eastern, Suite #130. The business was marked as inactive on 09/12/14.

<b><i>Pre-Application Meeting</i></b>	
04/08/15	Staff met with the applicant and reviewed the requirements for a Special Use Permit for a Bailbond Service use at 546 North Eastern Avenue, Suite #130. No issues were noted.

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

<b><i>Field Check</i></b>	
04/30/15	Staff visited the site and found a well maintained in line shopping center. No issues were noted.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	2.05

<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	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
South	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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<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>
East	Single-Family, Detached	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Purpose or Overlay Districts	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
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>
Eastern Avenue	Primary Arterial	Planned Streets and Highways Map	100	Y

*Pursuant to Title 19.08 and 19.12, the following parking standards apply:*

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	30,904 SF	1/250 SF	124				
<b>TOTAL SPACES REQUIRED</b>			124		107		Y *
<b>Regular and Handicap Spaces Required</b>			119	5	103	4	Y *
Loading Spaces					2		Y*

\*VAR-13881 approved 103 parking spaces and 2 loading zone spaces for a shopping center.

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## **ANALYSIS**

The proposed Bailbond Service will be located in Suite #130 at 546 North Eastern Avenue that most recently housed the offices of a ticket sales business. The property is parking impaired and has an approved variance (VAR-13881) to allow 103 parking spaces, but the shopping center is providing 107. The proposed Bailbond Service is a less intense use than the previous retail use and therefore the parking is acceptable as it exists.

The proposed use as a Bailbond Service requires a Special Use Permit within the C-1 (Limited Commercial) zone. There are no special conditions or minimum requirements related to the proposed use as a Bailbond Office.

## **FINDINGS (SUP-59012)**

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 shopping center is intended for commercial and retail uses. A Bailbond Service is a commercial use appropriate for being located within a shopping center. There is no direct pedestrian access to the nearby residential properties.

**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 use proposed.

**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 proposed Bailbond Service is located within an in line shopping center that has access to Eastern Avenue, which is identified on the Master Plan of Streets and Highways as 100-foot Primary Arterial. This road has 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.**

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The proposed Bailbond Service is a state licensed business, and the site would be subject to inspections. Therefore, it would not compromise public health and safety.

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

There are no minimum requirements associated with the proposed Bailbond Service use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 48

**NOTICES MAILED** 185

**APPROVALS** 0

**PROTESTS** 1