



**AGENDA MEMO - PLANNING**

**PLANNING COMMISSION MEETING DATE: MARCH 12, 2013**

**DEPARTMENT: PLANNING**

**ITEM DESCRIPTION: APPLICANT: C-A-L RANCH STORES - OWNER: D & W, INC.**

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-48168	Staff recommends APPROVAL, subject to conditions:	

**\*\* CONDITIONS \*\***

**SUP-48168 CONDITIONS**

***Planning***

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Building & Landscape Material/Lumber Yard 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. 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

The applicant is applying for a Special Use Permit for a Building & Landscape Material/Lumber Yard use in an existing shopping center at 232 North Jones Boulevard. This project will include a 19,592 square-foot outside storage and display area in the southeast corner of the parking lot. The proposal meets all requirements for such a use therefore; staff is recommending approval with conditions. If denied, the Building & Landscape Material/Lumber Yard use would not be allowed at this location.

**ISSUES**

- A Special Use Permit is required for a Building & Landscape Material/Lumber Yard in a C-1 (Limited Commercial) district.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</i>	
03/28/62	The Board of City Commissioners approved a Rezoning (Z-0014-62) from R-1 (Single Family Residence) to C-1 (Limited Commercial) on 21.44 acres at the northeast corner of Jones Boulevard and Fremont Street [U.S. 95] as part of a larger request. The Planning Commission and staff recommended approval.
01/08/13	The Planning Commission approved a Tentative Map (TMP-47474) for a one-lot commercial subdivision of an existing shopping center site on 14.53 acres at 240 North Jones Boulevard. Staff recommended approval.

<i>Most Recent Change of Ownership</i>	
09/20/00	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/11/12	A Building Permit (#216313) was issued for a Tenant Improvement at 232 N. Jones Boulevard. The permit was finalized on 02/06/13.
12/18/12	A Building Permit (#226201) was issued for a fence at 232 N. Jones Boulevard. The permit is pending.
02/06/13	A Business License (G50-93729) for Retail Sales was applied for. The license has not been issued pending a Special Use Permit Approval.

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<i>Pre-Application Meeting</i>	
01/10/13	Staff met with the applicant and discussed the differences between Outdoor Storage and Building & Landscape Material/Lumber Yard. It was decided that the best application process to meet the needs of the applicant was to apply for a Special Use Permit for a Building & Landscape Material/Lumber Yard use and to meet the Accessory Outdoor Storage requirements.

<i>Neighborhood Meeting</i>
No neighborhood meeting was required, nor held.

<i>Field Check</i>	
01/31/13	Staff visited the site and found that the applicant has installed a seven-to-eight foot tall wrought iron fence around the proposed outside storage/display area. This fence does not meet the required 20-foot rear yard setback nor the required solid screening along the east perimeter.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	14.49

<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	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family, Attached	M (Medium Density Residential)	R-PD13 (Residential Planned Development – 13 Units Per Acre)
South	Right-of-Way (US 95)	Right-of-Way (US 95)	Right-of-Way (US 95)
East	Multi-Family Residential	M (Medium Density Residential)	R-4 (High Density Residential)
West	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)

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<b>Master Plan Areas</b>	<b>Compliance</b>
No Applicable Master Plan Area	N/A
<b>Special Purpose and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District (140 Feet)	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
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**

*Pursuant to Title 19.08.040 and 19.08.070, the following standards apply:*

<b>Standard (Outside Storage)</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Setbacks			
• Front	10 Feet	790 Feet	Y
• Side	10 Feet	24 Feet	Y
• Corner	10 Feet	N/A	N/A
• Rear	20 Feet	20 Feet	Y

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

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

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Parking Ratio</b>	<b>Required</b>		<b>Provided</b>		<b>Compliance</b>
			<b>Parking</b>		<b>Parking</b>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	134,794 SF	1/250 SF	540				
<b>TOTAL SPACES REQUIRED</b>			540		558		Y
<b>Regular and Handicap Spaces Required</b>			529	11	537	21	Y
Loading Spaces	134,794	3 plus 1	4		8		Y

YK

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## ANALYSIS

The applicant is proposing to open a new retail store with outside storage that caters to consumers who live the Farm, Ranch and Western lifestyles. The proposed outside storage area is located on the southeast corner of the shopping center parking lot. This area will be secured and locked when an employee is not present.

The Building & Landscape Material/Lumber Yard use is defined as “A facility for the sale of home, lawn and garden supplies and construction materials such as brick, lumber and other similar materials.” The proposed use meets the definition as outlined in the applicant’s justification letter.

The Minimum Special Use Permit Requirements for this use include:

\* 1. Accessory outdoor storage must meet all requirements of LVMC 19.08.040(E)(4)(e), irrespective of whether or not for purposes of LVMC 19.08.040(E)(4)(e) a Variance from its requirements is granted pursuant to that provision and LVMC 19.16.140.

The outdoor storage area will be secured by an eight-foot tall, black wrought iron fence with the east perimeter screened using a matching mesh attached to the fence. The applicant is meeting all conditions by screening the east side of the outside storage. Staff recommends approval.

## FINDINGS (SUP-48168)

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 Building & Landscape Material/Lumber Yard is located within a shopping center that can accommodate a variety of uses including retail sales, medical and professional offices, personal services, and restaurants. The addition of a Building & Landscape Material/Lumber Yard within this shopping center is compatible with the existing and future land uses as specified by the SC (Service Commercial) General Plan designation.

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

The proposed site is a shopping center that was designed to accommodate a variety of uses, including a Building & Landscape Material/Lumber Yard use, and conforms to both the General Plan and Title 19 land use designations of the site with the approval of a Special Use Permit.

**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 Building & Landscape Material/Lumber Yard is located within a shopping center that is adequately served by Jones Boulevard, a 80-foot Secondary Collector, 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.**

The proposed Special Use Permit will not be inconsistent with or comprise the public health, safety or welfare as a Building & Landscape Material/Lumber Yard is subject to licensing and inspections by the City of Las Vegas. The proposed use is consistent with the existing SC (Service Commercial) General Plan designation.

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

The site meets all applicable conditions per Title 19.12 for a Building & Landscape Material/Lumber Yard. The use conforms to Title 19 as conditioned.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 40

**NOTICES MAILED** 605

**APPROVALS** 0

**PROTESTS** 0