



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 9, 2013

DEPARTMENT: PLANNING

**ITEM DESCRIPTION: APPLICANT: ACADEMY MEDICAL EQUIPMENT/ATMS -
OWNER: SUSAN ACKERMAN**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-48411	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48411 CONDITIONS

Planning

1. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a General Retail Store, Other Than Listed use within a portion of existing Suite Number 150 at 2400 North Tenaya Way. The proposed use will be for the sale of wheelchairs with accessory service and repair. The proposed use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with the surrounding uses; therefore, staff recommends approval. If the application is denied, the General Retail Store, Other Than Listed use would not be allowed at this location.

ISSUES

- The approval of a Special Use Permit is required for a General Retail Store, Other Than Listed use in the C-PB (Planned Business Park) Zoning District.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
There is no history of relevant actions taken related to the proposed use.	

<i>Most Recent Change of Ownership</i>	
02/23/11	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
06/16/06	A business license (M18-03619) was issued for a Management or Consulting Service at 2400 North Tenaya Way, Suite #150. This license remains active.
01/22/09	A business license (M18-04609) was issued for a Management or Consulting Service at 2400 North Tenaya Way, Suite #150. This license remains active.
06/28/11	A business license (R60-02696) was issued for a Repair and Maintenance at 2400 North Tenaya Way, Suite #116. This license remains active.
08/22/11	A business license (Q01-01083) was issued for a Real Estate Firm at 2400 North Tenaya Way, Suite #101. This license remains active.
05/17/12	A business license (I50-00680) was issued for an Instruction Services at 2400 North Tenaya Way, Suite 101. This license is in collections status.
07/05/12	A business license (A23-02561) was issued for a Bookkeeper at 2400 North Tenaya Way, Suite #150. This license remains active.
12/20/13	A business license (B20-01919) was issued for a Business Support Service at 2400 North Tenaya Way, Suite #101. This license remains active.

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<i>Pre-Application Meeting</i>	
01/28/13	A pre-application meeting was held with the applicant and submittal requirements for a Special Use Permit for a General Retail Store, Other Than Listed use were discussed with the applicant.

<i>Neighborhood Meeting</i>
A Neighborhood Meeting is not required for this application, nor was one held.

<i>Field Check</i>	
02/28/13	Staff conducted a field check of the subject property and noted the site was a well maintained commercial development. The rear of Suite #150 has two large warehouse rooms the applicant will use. There are doorways between the two rooms as well as the connecting hallway to the remainder of Suite #150.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.16

<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, Other than Listed	LI/R (Light Industry / Research)	C-PB (Planned Business Park)
North	Hospital	LI/R (Light Industry / Research)	C-PB (Planned Business Park)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
East	Office, Other than Listed	LI/R (Light Industry / Research)	C-PB (Planned Business Park)
West	Office, Other than Listed	LI/R (Light Industry / Research)	C-PB (Planned Business Park)

<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
A-O (Airport Overlay) District (175)	Y

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<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>
Smoke Ranch Road	Primary Arterial	Planned Streets and Highways Map	100	Y
Tenaya Way	Major Collector	Planned Streets and Highways Map	80	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>Required</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	15,436 SF	1:300 SF	52				
General Retail Store, Other Than Listed	7,936 SF	1:175 SF	46				
TOTAL SPACES REQUIRED			98		140		Y
Regular and Handicap Spaces Required			94	4	135	5	Y

ANALYSIS

The proposed General Retail Store, Other Than Listed use is located within the A-O (Airport Overlay) District and meets the height requirements of the district.

The General Retail Store, Other Than Listed use is defined as “A facility for the retail sale of general merchandise to the general public for direct consumption and not wholesale. This use:

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1. Includes such uses as an antique/collectible store, retail bakery, convenience store, grocery store, drug store, service station and specialty merchandise store.
2. Includes other general retail uses that may be specifically defined in LVMC Chapter 19.18 and whose definitions may include specific limitations and restrictions, which shall apply as described in that Chapter.
3. Does not include uses that are specifically listed in LVMC Chapter 19.12.”

The proposed use meets the definition, as the retailer will specialize in the sale of wheelchairs. The applicant has stated in the submitted justification letter the sales of wheelchairs are done at the consumer’s home due to their lack of mobility. The applicant will provide ancillary repair service that will represent 30% of the business. The hours of operation are compatible with typical office hours. The use will be in two large warehouse rooms at the rear of the building and has doorways connecting each room and the hallway to the remainder of suite #150.

The General Retail Store, Other Than Listed use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding land uses; therefore, staff recommends approval.

FINDINGS (SUP-48411)

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 land use of General Retail Store, Other Than Listed is located within a complex with office uses. The nature and operation of the specialty retailer is 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.

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

No significant changes are proposed to the existing structure or the site with this application that would increase the intensity of the proposed land 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.**

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Smoke Ranch Road, designated as a Primary Arterial and Tenaya Way designated as a Major Collector by the city's Planned Streets and Highways Map, provides access to the property. These roadway facilities are adequate to serve the General Retail Store, Other Than Listed 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 a Special Use Permit for the land use of General Retail Store, Other Than Listed at this location will not compromise the public health, safety and welfare or the primary objectives of the General Plan, as the use will be subject to regular inspections and licensing requirements.

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

There are no applicable requirements for a General Retail Store, Other Than Listed use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 490

APPROVALS 0

PROTESTS 1