



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: HAMID PANAHI - OWNER: AMD UNITED HOLDINGS, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-74817	Staff recommends DENIAL, if approved subject to conditions:	
VAR-75056	Staff recommends DENIAL, if approved subject to conditions:	VAR-74817
SUP-74818	Staff recommends DENIAL, if approved subject to conditions:	VAR-74817 VAR-75056
SDR-74819	Staff recommends DENIAL, if approved subject to conditions:	VAR-74817 VAR-75056 SUP-74818

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 22

NOTICES MAILED 183 - VAR-74817 and VAR-75056
183 - SUP-74818 and SDR-74819

PROTESTS 0 - VAR-74817 and VAR-75056
0 - SUP-74818 and SDR-74819

APPROVALS 0 - VAR-74817 and VAR-75056
0 - SUP-74818 and SDR-74819

**** CONDITIONS ****

VAR-74817 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-75056), Special Use Permit (SUP-74818) and Site Development Plan Review (SDR-74819) shall be required, if approved.
2. Conformance to the approved conditions for Rezoning (Z-0006-66) and Site Development Plan Review (SDR-72580), except where amended herein.
3. 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.
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.

VAR-75056 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-74817), Special Use Permit (SUP-74818) and Site Development Plan Review (SDR-74819) shall be required, if approved.

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2. Conformance to the approved conditions for Rezoning (Z-0006-66) and Site Development Plan Review (SDR-72580), except where amended herein.
3. 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.
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.

SUP-74818 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-74817), Variance (VAR-75056) and Site Development Plan Review (SDR-74819) shall be required.
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, as well as submitted as part of any business license application.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SDR-74819 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-74817), Variance (VAR-75056) and Special Use Permit (SUP-74818) shall be required, if approved.
2. Conformance to the approved conditions for Rezoning (Z-0006-66) and Site Development Plan Review (SDR-72580), except where amended herein.
3. 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.
4. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/22/18, except as amended by conditions herein.
5. A Waiver from Title 19.08.040(B)(4)e is hereby approved, to allow a service bay door to face the right-of-way where such is not allowed.
6. 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.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. Correct all American's with Disabilities Act (ADA) deficiencies on the sidewalks and driveways adjacent to this site in accordance with code requirements of Title 13.56.040, if any, to the satisfaction of the City Engineer concurrent with development of this site.
13. Prior to the issuance of any building permits, a petition of vacation shall be recorded to vacate the existing U.S. Patent Easement, #1146945, or provide documentation of prior vacation.
14. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Submit a License Agreement for landscaping and private improvements in the City of Las Vegas portion of the Alpine Street or Charleston Boulevard public rights-of-way, if any, prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
17. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all driveways or other private improvements, if any, in the Charleston Boulevard public right-of-way adjacent to this site prior to constructing any improvements within NDOT jurisdiction.

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18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Amendment to a previously approved Rezoning (Z-0006-66) for a 1,911 square-foot addition with exterior facade modifications and parking lot reconfiguration to an existing 16,941 square-foot retail development with a waiver to allow service bay doors to face the right-of-way where such is not allowed on 1.17 acres located at 5000 West Charleston Boulevard.

ISSUES

- An Auto Repair Garage (Minor) use is allowed in the C-1 (Limited Commercial) zoning district with an approved Special Use Permit (SUP-74818).
- A Variance (VAR-74817) has been requested to allow zero additional parking spaces where 31 additional parking spaces are required for an existing parking impaired development. Staff recommends denial of this request.
- A Variance (VAR-75056) has been requested to allow a zero-foot side yard setback where 10 feet is required and a zero-foot rear yard setback where 20 feet is required. Staff recommends denial of this request.
- A Waiver from Title 19.08.040(B)(4)e has been requested, to allow a service bay door to face the right-of-way where such is not allowed. Staff recommends denial of this request.

ANALYSIS

The subject 1.17-acre site is comprised of two parcels, which are zoned C-1 (Limited Commercial) with a General Plan designation of MXU (Mixed Use). Currently, the site contains two non-conforming structures (one on each parcel), which do not comply with current setback requirements. The applicant has proposed to demolish a 2,028 square-foot portion of an existing 11,531 square-foot structure located on the western perimeter of the subject site (APN 138-36-804-002), and replace it with a new 3,939 square-foot structure resulting in a net increase of 1,911 square feet in floor area to the subject site. The applicant has requested a Variance (VAR-75056) to allow a zero-foot side yard setback where 10 feet is required and a zero-foot rear yard setback where 20 feet is required, which will allow the new structure to align with the non-conforming setbacks of the previous structure.

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The applicant has further proposed to utilize the new 3,939 square-foot tenant space as a proposed Auto Repair Garage (Minor) land use. The C-1 (Limited Commercial) zoning district is intended to provide most retail shopping and personal services located on the periphery of residential neighborhoods and allows the proposed Auto Repair Garage (Minor) use with an approved Special Use Permit.

An Auto Repair Garage (Minor) use is described in Title 19.12 as: "A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service are limited to electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, selling/installing minor parts and accessories, and other similar activities. This use also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials." Per the submitted justification letter date stamped 10/22/18 the applicant indicates they intend to use the new 3,939 square-foot tenant space to conduct minor automotive repairs. There are no specific Special Use Permit conditions associated with the Auto Repair Garage (Minor) use.

The current site design was approved by Plot Plan Review (Z-0006-66) by the City Planning Commission on 04/08/11. The site was designed with a small landscape island along Charleston Boulevard to be filled with shrubbery. No side or rear yard landscaping buffers were required for the site, nor were any interior parking lot trees. Subsequently, Site Development Plan Review (SDR-72580) was approved by the Planning Commission on 03/13/18 for exterior facade modifications to the existing retail buildings. The proposed changes included eliminating the existing mansard roof and support columns and replacing them with an updated wall and canopy façade. The building at the western edge of the site was proposed to increase in height four feet at the Charleston Boulevard frontage, to a maximum parapet height of 24 feet. The building on the western edge of the site will also see façade and parapet modifications, which will increase the building height to 31 feet.

The applicant is proposing to retain the existing landscaping along Charleston Boulevard and refrain from adding any additional landscape due to limitations associated with the existing site. The site is accessed from Charleston Boulevard and Alpine Place. The existing ingress and egress points will not be affected by the proposed building addition or parking lot modifications. The parking lot layout will remain in generally the same configuration as proposed with approved Site Development Plan Review (SDR-72580). However, the applicant has proposed to remove six parking spaces from the northwestern area of the parking lot.

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Currently, the subject 16,941 square-foot commercial development is a parking impaired development based on current Title 19.12 parking requirements. According to approved Site Development Plan Review (SDR-72580) the subject site provides 66 overall parking spaces, including four ADA accessible parking spaces. The proposed 3,939 square-foot addition which is proposed to be utilized as an Auto Repair Garage (Minor) use would require 25 overall parking spaces based on current Title 19.12 development standards. The removal of six parking spaces through parking lot reconfiguration, coupled with the 25 parking spaces required by the building addition, produces an overall parking impairment of 31 parking spaces required for the subject site.

This project will add approximately 72 trips per day on Charleston Boulevard, Alpine Place and Brush Street. Currently, Charleston Boulevard is at about 73 percent of capacity, Alpine Place is at about 10 percent of capacity and Brush Street is at about 15 percent of capacity. With this project, these capacities are expected to remain unchanged.

Also, the applicant has proposed to install a service bay door on the east and north perimeter of the proposed building addition, which will allow vehicles to enter the building. Pursuant to Title 19.08.040(B)(4)e "If service or wash bay doors are provided, openings to the bay doors shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties." The Planning Commission or City Council may grant a waiver to this standard as part of a Site Development Plan Review if the applicant can show through convincing and substantial evidence that the waiver will not compromise the objective of the City in safeguarding the interests of the City, the proposed project will substantially meet the intent of the standard, and the granting of the waiver will not detrimentally affect the public health, safety or general welfare. As such, the applicant has requested a service bay door facing the Alpine Place right-of-way, where such is not allowed.

The proposed location of this use fails to comply with the minimum parking standards outlined by Plot Plan Review (Z-0006-66), Site Development Plan Review (SDR-72580) and Title 19.12 for the proposed Auto Repair Garage (Minor) addition to the subject site. In addition, the applicant has requested a Waiver to allow a service bay door to face the right-of-way where such is not allowed. As such, the required Variance and Waiver further reinforce the unsuitability of this site for the Auto Repair Garage (Minor) land use, with the surrounding commercial developments. Therefore, staff recommends denial of the project and all associated land use entitlement applications.

FINDINGS (VAR-74817)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.16.140(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a land use which does not comply with Title 19.12 parking requirements. An alternative land use would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (VAR-75056)

In accordance with the provisions of Title 19.16.140(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

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Additionally, Title 19.16.140(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by requesting to orient the proposed structure zero feet away from the side and rear property line. Alternative building placement would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (SUP-74818)

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 use requires a Variance to address insufficient onsite parking and a Waiver to allow a service bay door to face the right-of-way where such is not allowed; which reinforces the unsuitability of this site for the proposed Auto Repair Garage (Minor) use. The use cannot be conducted in a manner that is harmonious or compatible with the surrounding uses.

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

There is no evidence of a physical constraint to the proposed uses on the subject site.

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.

Access to the site will remain unchanged; site access is provided from Alpine Place a 60-foot Local Street and Charleston Boulevard a 100-foot Primary Arterial, as designated by Title 13 and the Master Plan of Streets & Highways. These streets are sufficient in size to accommodate the needs of 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 proposed Auto Repair Garage (Minor) use will be subject to regular inspections by regulatory agencies for business licensing and will therefore not compromise the public's health, safety or general welfare, or the overall objectives of the General Plan.

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

There are no specific Special Use Permit conditions associated with the Auto Repair Garage (Minor) use.

FINDINGS (SDR-74819)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed development is not compatible with surrounding development in the area as evidenced by the requested Variance to address insufficient parking and a Waiver to allow a service bay door to face the right-of-way where such is not allowed; and will have a negative impact to the adjacent commercial developments.

2. The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;

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The applicant has requested a Variance to address insufficient parking and a Waiver to allow a service bay door to face the right-of-way where such is not allowed, which are inconsistent with the development standards outlined in Title 19. Staff has determined the proposed project is not compatible with surrounding development in the area, and will not have a negative impact to the adjacent commercial developments.

3.Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Access to the site will remain unchanged; site access is provided from Alpine Place a 60-foot Local Street and Charleston Boulevard a 100-foot Primary Arterial, as designated by Title 13 and the Master Plan of Streets & Highways. These streets are sufficient in size to accommodate the needs of the proposed use.

4.Building and landscape materials are appropriate for the area and for the City;

The subject site has an existing structure with a building design and style which are appropriate for the subject location and is harmonious with buildings in the surrounding area.

5.Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The applicant has requested a Waiver to allow a service bay door to face the right-of-way where such is not allowed, which are inconsistent with the development standards outlined in Title 19.08.040(B)(4)e. Staff has determined the proposal is not compatible with surrounding development in the area, and will not have a negative impact to the adjacent commercial developments.

6.Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
04/08/71	The City Planning Commission approved a Plot Plan and Rezoning (Z-0006-66) from R-1 (Single Family Residential) and R-4 (High Density Residential) to C-1 (Limited Commercial) which included the subject site.
08/03/77	The Board of City Commissioners approved a Review of Condition and Plot Plan Review [Z-0006-66(8)] to allow access to Alpine Place from 5000 West Charleston Boulevard.
05/05/04	The City Council approved Special Use Permit (SUP-3961) for a proposed Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed Convenience Store at 5000 West Charleston, Suite #7. The Planning Commission and Staff recommended approval of the request.
02/16/05	The City Council approved Special Use Permit (SUP-5664) for a Liquor Establishment (Beer/Wine/Cooler, On-Sale) in conjunction with an existing restaurant at 5000 W Charleston Boulevard, Unit D. The Planning Commission and Staff recommended approval of the request.
	The City Council approved Required Six-Month Review (RQR-5969) of an approved Special Use Permit (SUP-3961) which allowed a Liquor Establishment (Off-Premises Consumption) in conjunction with a proposed convenience store at 5000 West Charleston Boulevard, Suite 7. Staff recommended approval of the request.
04/18/12	The City Council approved General Plan Amendment (GPA-43991) to establish Redevelopment Area 2 and change the future land use designation on various parcels within the Redevelopment Area to Commercial or Mixed Use. The Planning Commission and Staff recommended approval of the request.
03/13/18	The Planning Commission approved a Major Amendment (SDR-72580) to a previously approved Site Development Plan Review [Z-0006-66] for exterior facade modifications to existing retail buildings on 1.17 acres at 5000 and 5004 West Charleston Boulevard. Staff recommended approval of the request.

<i>Most Recent Change of Ownership</i>	
10/24/17	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
01/01/51	A business license (B05-01434) was issued for a Cosmetology Establishment (Patricia's Hair and Nail Emporium) at 5000 West Charleston Boulevard, Suite #5. The license was marked inactive on 08/02/16.
02/06/06	A code enforcement case (#38175) was created for an unpermitted wall sign painted on a wall at 5000 West Charleston Boulevard. The case was resolved 02/22/06.
08/15/06	A business license (B05-03017) was issued for a Beauty Salon (Dominican Destination Salon) with three stations at 5000 West Charleston Boulevard, Suite A. The license is still active.
09/17/09	A code enforcement case (#81981) was created for graffiti at 5000 West Charleston Boulevard. The case was resolved 09/18/09.
11/24/09	A business license (M22-00111) was issued for a Martial Arts Studio (World Taekwondo School) at 5000 West Charleston Boulevard, Suite #2 and #3. The license is still active.
12/01/09	A business license (G50-05682) was issued for General Sales at a Martial Arts Studio at 5000 West Charleston Boulevard Suite #2 and #3. The license is still active.
	A building permit (#152225) was issued for a non-work certificate of occupancy at 5000 West Charleston Boulevard Suite #7. The permit received final approval 04/23/10.
04/29/10	A code enforcement case (#90063) was created for graffiti at 5000 West Charleston Boulevard. The case was resolved 05/13/10.
03/26/12	A business license (G50-08023) was issued for general retail sales (Magic Shoe and Luggage) at 5000 West Charleston Boulevard, Suite C. The license was marked inactive on 04/11/17.
01/09/13	A code enforcement case (#123745) was created for graffiti at 5000 West Charleston Boulevard. The case was resolved 02/28/13.
02/03/14	A code enforcement case (#137507) was created for graffiti at 5000 West Charleston Boulevard. The case was resolved 04/14/14.
02/28/14	A business license (A23-90167) was issued for Business Support Services (Cash Me Out Tax Services) at 5000 West Charleston Boulevard, Suite #4. The license was marked inactive on 07/30/16.
03/27/14	A building permit (#257192) was issued for wall and roof signs at 5000 West Charleston Boulevard Suite D. The permits received final approval 12/08/14.
04/21/14	A business license (G62-02938) was issued for a Restaurant (Bahia Centro-America) at 5000 West Charleston Boulevard, Suite D. The license is still active.

<i>Related Building Permits/Business Licenses</i>	
07/15/14	A building permit (#265003) was issued for an electrical panel replacement at 5000 West Charleston Boulevard Suite D. The permit was never finalized.
09/29/14	A code enforcement case (#146104) was created for a pylon sign that had fallen into disrepair at 5000 West Charleston Boulevard. The case was resolved 03/09/15.
07/21/15	A business license (G63-05151) was issued for an Insurance Agency (Acceptance Insurance Agency) at 5000 West Charleston Boulevard, Suite B. The license is still active.
08/20/15	A business license (P63-00322) was issued for an Martial Arts Studio (Create Develop and Flow Academy) at 5000 West Charleston Boulevard Suite #2 & 3. The license is still active.
08/31/15	A building permit (#298075) was issued for wall signs and replacement of pole sign cabinetry at 5000 West Charleston Boulevard Suite B. The permit received final approval 12/24/15.
01/07/16	A code enforcement case (#162193) was created for graffiti at 5000 West Charleston Boulevard. The case was resolved 04/19/16.
02/22/16	A business license (L64-00080) was issued for a Beer/Wine/Cooler On-Sale at 5000 West Charleston Boulevard Suite D.
03/16/16	A business license (G64-00209) was issued for Product Sales at 5000 West Charleston Boulevard Suite A.
06/07/16	A code enforcement case (#167557) was created for graffiti at 5000 West Charleston Boulevard. The case was resolved 08/03/16.
03/20/18	A business license (G66-01923) was issued for General Retail Sales (Liberty Lock & Key, LLC) at 5000 West Charleston Boulevard, Suite #1. The license is still active.
04/19/18	A business license (P66-00060) was issued for Locksmith and Safe Mechanic (Liberty Lock & Key, LLC) at 5000 West Charleston Boulevard, Suite #1. The license is still active.

<i>Pre-Application Meeting</i>	
10/24/17	Staff met with the applicant and discussed the submittal requirements for a Variance, Special Use Permit and Site Development Plan Review for a proposed Auto Repair Garage (minor) addition to the existing commercial development.

Neighborhood Meeting

A Neighborhood meeting was not required, nor was one held.

Field Check

11/01/18

During a routine site inspection staff noted that a chain link fence with razor wire is located on the rear of the site surrounding the vacated portion of the building which is proposed to be demolished. The applicant has indicated that this fence will be removed upon development of the new structure on-site.

Details of Application Request**Site Area**

Net Acres

1.17

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	General Retail	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	General Retail, Restaurant with Drive Through	MXU (Mixed Use)	C-1 (Limited Commercial)
East	General Retail, Private Club	MXU (Mixed Use)	C-1 (Limited Commercial)
West	Mini-Storage Facility	MXU (Mixed Use)	C-1 (Limited Commercial)

Master and Neighborhood Plan Areas**Compliance**

No Applicable Master Plan Area

N/A

Special Area and Overlay Districts**Compliance**

A-O (Airport Overlay) District (175 Feet)

Y

<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area 2	Y
Interlocal Agreement	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, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	50,965 SF	N/A
Min. Lot Width	100 Feet	195 Feet	Y
Min. Setbacks • Front • Side (East) • Side (West) • Rear	10 Feet 10 Feet 10 Feet 20 Feet	175 Feet 121 Feet 0 Feet 0 Feet	Y Y N* N*
Max. Lot Coverage	50 %	34 %	Y
Max. Building Height	N/A Feet	31 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

*The applicant has requested a Variance (VAR-75056) to allow a zero-foot side yard setback where 10 feet is required and a zero foot rear yard setback where 20 feet is required

<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>
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Alpine Place	Local Street	Title 13	60	Y

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Pursuant to Rezoning (Z-0006-66) and [Z-0006-66(8)], Site Development Plan Review (SDR-72580) 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	
Proposed Building “C”							
Proposed Auto Repair Garage, Minor	3,939 SF	1:200, plus five spaces	25				
Existing Building “A”							
General Personal Service (Locksmith) – 5000 West Charleston Boulevard, Suite #1	973 SF	1/250	4				
Martial Arts Studio – 5000 West Charleston Boulevard, Suite #2 & #3	1,960 SF - Two Staff Member, 30 of Students	1: Staff Member, plus one space for every 10 students at maximum	5				
Vacant Retail – 5000 West Charleston Boulevard, Suite #4	980 SF	1/175	6				
Vacant Retail – 5000 West Charleston Boulevard, Suite #5	980 SF	1/175	6				
Vacant Retail – 5000 West Charleston Boulevard, Suite #6	980 SF	1/175	6				
Vacant Retail – 5000 West Charleston Boulevard, Suite #7	3,630 SF - 2,000 SF of non-fixed seating gathering area	1/100 square feet of non-fixed seating gathering area	20				

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Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Existing Building "B"							
General Personal Services (Beauty Parlor/Barber Shop) – 5000 West Charleston Boulevard, Suite A	3 Chairs/Stations - 780 SF	3 Spaces /Chair	9				
Insurance Agency – 5000 West Charleston Boulevard, Suite B	780 SF	1/300	3				
General Retail Sales – 5000 West Charleston Boulevard, Suite C	1,050 SF	1/175	6				
Restaurant – 5000 West Charleston Boulevard, Suite D	2,800 SF (1,800 seating area SF; 1,000 SF gross remaining)	1:50 SF of seating area plus 1:200 of remaining floor area	41				
TOTAL SPACES REQUIRED			131		60		N*
Regular and Handicap Spaces Required			125	6	56	4	N*
Loading Spaces			0		0		Y*
Percent Deviation			54%				N*

*This commercial development is a parking impaired development based on current Title 19.12 parking requirements. According to approved Site Development Plan Review (SDR -72580) the subject site provides 66 overall parking spaces, including four ADA accessible parking spaces. The proposed 3,939 square-foot addition which is proposed to be utilized as an Auto Repair Garage (Minor) use would require 25 overall parking spaces based on current Title 19.12 development standards. The removal of six parking spaces through parking lot reconfiguration, coupled with the 25 parking space delta created by the building addition, produces an overall parking impairment of 31 parking spaces required for the subject site.

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
If service or wash bay doors are provided, openings to the bay doors shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.	To allow a service bay door to face the right-of-way where such is not allowed.	Denial