



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: GRIND MODE 1, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
VAR-75066	Staff recommends DENIAL, if approved subject to conditions:	
SUP-74861	Staff recommends DENIAL, if approved subject to conditions:	VAR-75066

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 218 - VAR-75066 and SUP-74861

PROTESTS 0 - VAR-75066 and SUP-74861

APPROVALS 0 - VAR-75066 and SUP-74861

**** CONDITIONS ****

VAR-75066 CONDITIONS

Planning

1. Conformance to the approved conditions for Plot Plan Review and Special Use Permit (U-0128-96).
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.

SUP-74861 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Truck Rental use.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-75066) shall be required.
3. Conformance to the approved conditions for Plot Plan Review and Special Use Permit (U-0128-96).

Conditions Page Two

December 11, 2018 - Planning Commission Meeting

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.
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. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Staff Report Page One

December 11, 2018 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Truck Rental use within an existing commercial development at 2901 North Rancho Drive.

ISSUES

- The Truck Rental use is permitted in the C-2 (General Commercial) zoning district with approval of a Special Use Permit.
- Variance (VAR-75066) has been requested to allow zero additional parking spaces where two additional parking spaces are required for an existing parking impaired development. Staff does not support the request.

ANALYSIS

Per Title 19, the Truck Rental use is defined as “A facility for the rental of new or used trucks. For purposes of the limitations of this Title on outside storage, trucks kept on a lot for rental purposes are not considered to be outside storage.” There are no minimum Special Use Permit Requirements for Truck Rental use. Per the submitted justification letter, the proposed use meets the definition at the applicant intends to offer two U-Haul trucks for rental service. The leasing of vehicles will occur at the checkout counter of the existing convenience store.

Two additional parking spaces are required to accommodate the proposed Truck Rental use. Per Plot Plan Review and Special Use Permit [U-0128-96(1)] the parking requirement for this site is 30 parking spaces. With the additional Truck Rental use, 32 parking spaces are required. The applicant has requested a Variance (VAR-75066) to allow zero additional parking spaces where two additional parking spaces are required. Staff does not support the request.

The City Council denied Special Use Permit (SUP-59041), which was a request for a similar Truck Rental use at the subject site on July 15, 2015. The council found that the site was over capacity and that there were an adequate amount of other U-Haul Truck Rental options within the near vicinity of the subject site. Due to the requested parking Variance and the City Council’s previous vote of denial for a similar use at the subject site, staff recommends denial of the proposed entitlements.

Staff Report Page Two

December 11, 2018 - Planning Commission Meeting

FINDINGS (VAR-75066)

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 to not provide any additional parking for the Truck Rental use. 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-74861)

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 cannot be conducted in a manner that is harmonious and compatible with the existing surrounding land uses due to the requested parking Variance for an existing parking impaired commercial development.

Staff Report Page Three**December 11, 2018 - Planning Commission Meeting****2.The subject site is physically suitable for the type and intensity of land use proposed.**

The site is not physically suitable for the type and intensity of land use proposed. The two-acre site is parking impaired and the applicant has requested a Variance to provide zero additional parking spaces where two additional parking spaces are required to accommodate the proposed Truck Rental 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.

Site access is provided from Rancho Drive, a 125-foot Expressway, as classified by the Master Plan of Streets and Highways, with sufficient size to accommodate the needs of the proposed Truck Rental 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.

If approved, the proposed Truck Rental use will be regulated through licensing, thereby protecting the health, safety and general welfare of the public.

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

The applicant has requested a Variance to allow zero additional parking spaces where two additional parking spaces are required to accommodate the proposed Truck Rental use. Staff does not support the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
12/18/96	The City Council approved a request for a Plot Plan Review and Special Use Permit (U-0128-96) to allow an automated car wash, and for the off-premise sale of beer and wine in conjunction with a proposed convenience store at 2951 North Rancho Drive. The Board of Zoning Adjustment recommended approval and staff had no recommendation.

Staff Report Page Four

December 11, 2018 - Planning Commission Meeting

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
02/23/98	The City Council approved a request for an Extension of Time [U-0218-96(1)] of a previously approved Plot Plan Review and Special Use Permit which allowed an automated car wash and the off-premise sale of beer and wine in conjunction with a proposed convenience store at 2951 North Rancho Drive. The Planning Commission and staff recommended approval.
02/08/99	The City Council approved a request for an Extension of Time [U-0218-96(2)] of a previously approved Plot Plan Review and Special Use Permit which allowed an automated car wash and the off-premise sale of beer and wine in conjunction with a proposed convenience store at 2951 North Rancho Drive. The Planning Commission and staff recommended approval.
07/15/15	The City Council denied a request for a Special Use Permit (SUP-59041) for a Truck Rental Use at 2901 North Rancho Drive. The Planning Commission and Staff recommended approval of the request.
09/10/18	A Complaint (#192851) was filed with the City of Las Vegas Code Enforcement Division for trash and debris. The complaint was resolved as of 10/12/18.

<i>Most Recent Change of Ownership</i>	
02/12/15	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
12/07/99	A building permit (#9902338) for a Car Was and Convenience Store at 2901 North Rancho Drive. The permit was finalized on 08/23/00.
08/19/99	A building permit (#99016500) for an Auto Lube building at 2901 North Rancho Drive. The permit was finalized on 09/09/00.
09/12/00	A business license (C05-02050) was issued for tobacco dealer at 2901 North Rancho Drive. The license was marked out of business on 01/27/15.
	A business license (C15-00261) was issued for a convenience store/gas at 2901 North Rancho Drive. The license was marked out of business on 01/27/15.
	A business license (C02-00258) was issued for a carwash at 2901 North Rancho Drive. The license was marked out of business on 01/27/15.

Staff Report Page Five

December 11, 2018 - Planning Commission Meeting

Related Building Permits/Business Licenses	
06/06/12	A building permit was issued for an interior improvement at 2901 North Rancho Drive. The permit was finalized on 12/10/12.
01/27/15	A business license (P62-00252) was issued for beer/wine off sale at 2901 North Rancho Drive. The license is active.
	A business license (G62-08062) was issued for convenience store at 2901 North Rancho Drive. The license is active.
	A business license (G62-08063) was issued for tobacco sales at 2901 North Rancho Drive. The license is active.
	A business license (G63-02002) was issued for car wash at 2901 North Rancho Drive. The license is active.
07/13/15	A Business license (G63-04877) was issued for a Minor Automotive Service use at 2911 North Rancho Drive. The license is active.

Pre-Application Meeting	
10/16/18	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Special Use Permit.

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

Field Check	
11/01/18	Staff conducted a routine field check and found an active commercial development. No issues were noted.

Details of Application Request	
Site Area	
Net Acres	2.00

Staff Report Page Six

December 11, 2018 - Planning Commission Meeting

<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	Convenience Store with Fuel Canopy and Auto Repair Garage, Minor	M (Medium Density Residential)	C-2 (General Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	C-2 (General Commercial)
South	Multi-Family Residential	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units per Acre)
			R-PD20 (Residential Planned Development – 20 Units per Acre)
East	Airport	CC (Community Commercial) – North Las Vegas	M-2 (Industrial General) – North Las Vegas
		P/SP (Public/Semi-Public) – North Las Vegas	
West	Multi-Family Residential	M (Medium Density Residential)	C-2 (General Commercial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District – 35 Feet	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Rancho Drive	Freeway/Express way	Master Plan of Streets and Highways	135	Y

Pursuant to Title 19.08 and 19.12 and Special Use Permit (U-0128-96), 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	
General Retail Store, Other Than Listed	4,683 SF	1:175 GFA	27				
Truck Rental	N/A	1 Per Rental Vehicle plus 1:250 GFA	2				
Car Wash, Full Service or Auto Detailing	3,180 SF	1:150 GFA	22				
Auto Repair Garage, Minor	1,738 SF	5 plus 1:200 GFA	14				
TOTAL SPACES REQUIRED			32		30		*N
Regular and Handicap Spaces Required			30	2	28	2	**N

*The site is parking impaired as detailed in Title 19.18.030 (D). Per Plot Plan Review and Special Use Permit (U-0128-96) the parking requirement for the site is 30 parking spaces. The existing site contains 30 parking spaces, including one handicapped accessible space.

**The applicant has requested Variance (VAR-75066) in order to provide zero additional parking spaces where two additional parking spaces are required to accommodate the proposed Truck Rental use. Staff does not support the request.