

**PLANNING COMMISSION MEETING DATE: JULY 9, 2024**  
**DEPARTMENT: COMMUNITY DEVELOPMENT**  
**ITEM DESCRIPTION: APPLICANT/OWNER: CHARMO, LLC**

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>24-0226-TMP1</b>	Staff recommends APPROVAL, subject to conditions:	

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

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## **24-0226-TMP1 CONDITIONS**

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### **Planning**

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. The Final Map shall contain a note granting perpetual common access and parking across the entire subdivision.
3. All development is subject to the conditions of City Departments and State Subdivision Statutes.

### **Public Works**

4. Per Title 19.16.060.W.1, provide a note on the Final Map that states "All parcels created through this map shall have perpetual unobstructed access to all driveways servicing the overall subdivision unless incompatible uses can be demonstrated to the satisfaction of the City Engineer."
5. Per Title 19.16.060.W.2, sewer service for this commercial subdivision shall be shown in accordance with one of the following three alternatives, and the appropriate note shall appear on the face of the Tentative Map and recorded Final Map.
  - a) A public sewer, with a minimum pipe diameter of eight inches, located within dedicated public sewer easement which are a minimum of twenty feet wide.
  - b) On-site sewers area a common element privately owned and maintained per the Conditions, Covenants, and Restrictions (CC&Rs) of this commercial subdivision.
  - c) On-site sewers are common element privately owned and maintained per the joint Use Agreement of this commercial subdivision.
6. Per Title 19.16.060.W.3, provide a note on the Final Map that states "all subdivided parcels comprising this Subdivision shall provide perpetual inter-site common drainage rights across all existing and future parcel limits."

**Conditions Page Two**  
**July 9, 2024 - Planning Commission Meeting**

7. 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.
8. Comply with approved Traffic Impact Analysis #76210.
9. Comply with approved Drainage Study #DS5704. If the development to this site is not in compliance with the approved Drainage Study, a Drainage Study Update must be submitted and approved prior to the recordation of a Final Map for this site.
10. As per Unified Development Code (UDC) 19.16.060.G, all requirements must be complied with or such future compliance must be guaranteed by an approved performance security method in accordance with UDC sections 19.02.130.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.
12. Comply with all applicable conditions of approval for 23-0088-SDR1.

**Fire & Rescue**

13. 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.

**Staff Report Page One**  
**July 9, 2024 - Planning Commission Meeting**

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

**PROJECT DESCRIPTION**

This is a Tentative Map request for a one-lot commercial subdivision on 1.84 acres at the northeast corner of Charleston Boulevard and Mohawk Street

**ISSUES**

- This Tentative Map request is required as a condition of approval for Site Development Plan Review (23-0088-SDR1).
- Staff notes that there are approved Technical Drainage and Traffic studies for the subject site.
- No retaining walls are depicted or proposed.

**ANALYSIS**

The subject undeveloped, 1.75-acre site is zoned C-1 (Limited Commercial) and subject to Title 19 development standards. The applicant requests a Tentative Map for a proposed one-lot commercial subdivision. On June 21, 2023, the City Council approved the following entitlements for the subject site:

- Variance (23-0088-VAR1) to allow 36 parking spaces where 66 are required;
- Variance (23-0088-VAR2) to allow a five-foot front and side yard setback where 10 feet is required and a residential adjacency matching setback of five feet where 14 feet is required;
- Special Use Permit (23-0088-SUP1 and SUP2) for a proposed drive through use;
- Special Use Permit (23-0088-SUP3) for a proposed auto repair garage, minor use;
- Special Use Permit (23-0088-SUP4) for a proposed 3,085 square-foot alcohol, off-premise beer/wine use;
- Site Development Plan Review (23-0088-SDR1) for a proposed 9,967 square-foot commercial development including a convenience store with fuel pumps and canopy, two restaurants with drive throughs and a minor auto repair garage with waivers of the perimeter landscape buffer requirements.

**FINDINGS (24-0226-TMP1)**

All Title 19 zoning and NRS 278 technical requirements regarding tentative maps are satisfied. Therefore, staff recommends approval of Tentative Map (24-0226-TMP1), subject to conditions.

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**Staff Report Page Two**  
**July 9, 2024 - Planning Commission Meeting**

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
07/08/14	The Planning Commission approved a request for a Site Development Plan Review (SDR-54240) for two commercial buildings totaling 15,400 square feet with Waivers to allow a 10-foot wide landscape buffers along the north and west perimeters where 15 feet is required on 1.84 acres located at the northeast corner of Charleston Boulevard and Mohawk Street. Staff recommended approval.
10/28/14	The City Council approved a request for a Special Use Permit (SUP-55297) for a proposed 6,020 square-foot Medical Marijuana Dispensary at 5350 West Charleston Boulevard. The Planning Commission recommended denial, staff recommended approval.
	The City Council approved a request for a Compliance Permit for a Medical Marijuana Establishment (Dispensary) [DIR-56396] at 5350 West Charleston Boulevard.
06/09/16	A complaint (#167695) was processed by Code Enforcement for weeds, graffiti and an abandoned sign at 5300 West Charleston Boulevard. The case was resolved on 08/09/16.
02/27/17	A complaint (#175040) was processed by Code Enforcement for squatters, trash and debris on the subject site (APNs 138-36-803-015 and 016). The case was resolved on 06/07/17.
01/16/18	A complaint (#185441) was processed by Code Enforcement for graffiti on a block wall at the subject site (APNs 138-36-803-015 and 016). The case was resolved on 02/08/18.
05/17/18	A complaint (#189344) was processed by Code Enforcement for graffiti on a block wall at the subject site (APN 138-36-803-002). The case remains open as of 05/22/18.
07/18/18	The City Council approved Vacation (VAC-73284) The Planning Commission and Staff recommended approval.
	The City Council approved Special Use Permit (SUP-73287) for an alternative parking standard to allow 119 parking spaces where 162 parking spaces are required for a proposed facility to provide testing, treatment, or counseling for drug or alcohol abuse at the subject site. The Planning Commission and Staff recommended approval.
	The City Council approved Special Use Permit (SUP-73288) for a facility to provide testing, treatment, or counseling for drug or alcohol abuse use at the subject site. The Planning Commission and Staff recommended approval.

**Staff Report Page Three**  
**July 9, 2024 - Planning Commission Meeting**

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
07/18/18	The City Council approved Site Development Plan Review (SDR-73289) for a proposed three-story, 48,375 square-foot office development with landscaping waivers on 1.75 acres at the northeast corner of Charleston Boulevard and Mohawk Street. The Planning Commission and Staff recommended approval.
06/02/21	The City Council approved General Plan Amendment (21-0029-GPA1) request to adopt the City Of Las Vegas 2050 Master Plan and amend the City Of Las Vegas general plan From various categories to TOD-1 (Transit Oriented Development-1), TOD-2 (Transit Oriented Development-2), TOC-1 (Transit Oriented Corridor-1), TOC-2 (Transit Oriented Corridor-2), or NMXU (Neighborhood Center Mixed Use) within the City Of Las Vegas.
10/13/22	Code Enforcement Case #CE22-05503 was opened regarding a homeless encampment at the subject site. The case was resolved on 12/15/22.
03/15/23	Code Enforcement Case #CE23-01416 was opened regarding a damaged fence on the sidewalk at the subject site. The case was resolved on 04/10/23.
06/21/23	<p>The City Council approved the following entitlements for the subject site:</p> <ul style="list-style-type: none"> <li>• Variance (23-0088-VAR1) to allow 36 parking spaces where 66 are required;</li> <li>• Variance (23-0088-VAR2) to allow a five-foot front and side yard setback where 10 feet is required and a residential adjacency matching setback of five feet where 14 feet is required;</li> <li>• Special Use Permit (23-0088-SUP1 and SUP2) for a proposed drive through use;</li> <li>• Special Use Permit (23-0088-SUP3) for a proposed auto repair garage, minor use;</li> <li>• Special Use Permit (23-0088-SUP4) for a proposed 3,085 square-foot alcohol, off-premise beer/wine use;</li> <li>• Site Development Plan Review (23-0088-SDR1) for a proposed 9,967 square-foot commercial development including a convenience store with fuel pumps and canopy, two restaurants with drive throughs and a minor auto repair garage with waivers of the perimeter landscape buffer requirements.</li> </ul>
03/06/24	Code Enforcement Case #CE24-01252 was opened regarding homeless activity and a dilapidated wall/fence. The case was resolved on 03/26/24.

Staff Report Page Four  
July 9, 2024 - Planning Commission Meeting

**Most Recent Change of Ownership**

06/15/23	A deed was recorded for a change in ownership.
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**Related Building Permits/Business Licenses**

06/06/17	A building permit (#C-343946) was issued for the demolition of a pool and building at 5300 West Charleston Boulevard. The permit was finalized on 06/14/17.
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**Pre-Application Meeting**

04/17/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Tentative Map.
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**Neighborhood Meeting**

A neighborhood meeting was not required, nor was one held.
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**Field Check**

05/30/24	Staff conducted a routine field check and found an undeveloped site. The site contains multiple concrete pads and various vegetation materials scattered through the site. These are remnants from prior development that has since been demolished.
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**Details of Application Request**

<b>Site Area</b>	
Net Acres	1.75

<b>Surrounding Property</b>	<b>Existing Land Use Per Title 19.12</b>	<b>Planned or Special Land Use Designation</b>	<b>Existing Zoning District</b>
Subject Property	Undeveloped	TOC-1 (Transit Oriented Corridor - High)	C-1 (Limited Commercial)
North	Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
		L (Low Density Residential)	R-1 (Single Family Residential)

Staff Report Page Five  
July 9, 2024 - Planning Commission Meeting

<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>
South	Building & Landscape Material/Lumber Yard	TOC-1 (Transit Oriented Corridor - High)	C-1 (Limited Commercial)
East	General Retail Store, Other Than Listed	TOC-1 (Transit Oriented Corridor - High)	C-1 (Limited Commercial)
	Boat & Trailer Dealership		
West	Financial Institution, General	TOC-1 (Transit Oriented Corridor - High)	C-1 (Limited Commercial)

<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Charleston	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
A-O (Airport Overlay) District (200 Feet)	Y
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
Trails	N/A
Las Vegas Redevelopment Plan Area - Area 2	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

<b><i>Street Name</i></b>	<b><i>Functional Classification of Street(s)</i></b>	<b><i>Governing Document</i></b>	<b><i>Actual Street Width (Feet)</i></b>	<b><i>Compliance with Street Section</i></b>
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Mohawk Street	Local Street	Title 13	64	Y
Alpine Place	Local Street	Title 13	60	Y