



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: NOVEMBER 12, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT/OWNER: R&J WHOLESALE, INC.

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0391-SUP1	Staff recommends APPROVAL, subject to conditions:	
24-0391-SDR1	Staff recommends APPROVAL, subject to conditions:	24-0391-SUP1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

NOTICES MAILED 205

PROTESTS

APPROVALS 3

**** CONDITIONS ****

24-0391-SUP1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (24-0391-SDR1) shall be required, if approved.
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 Building and Safety Division.
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. Trash enclosures shall be provided in conformance with the provisions of Title 19.08.040.E.
6. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0391-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0391-SUP1) shall be required, if approved.

Conditions Page Two

November 12, 2024 - Planning Commission Meeting

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 development shall be in conformance with the site plan and landscape plan, date stamped 10/23/24, and building elevations, date stamped 07/29/24, except as amended by conditions herein.
4. A Waiver from Title 19.08.080 is hereby approved, to allow a zero-foot wide landscape buffer along a portion of the west interior lot lines where eight feet is required.
5. A Waiver from Title 19.08.080 is hereby approved, to allow a five-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required on a portion of the east property line.
6. A Waiver from Title 19.08.080 is hereby approved, to allow a zero-foot wide landscape buffer width adjacent to the right-of-way where 15 feet is required on the north property line.
7. An Exception from Title 19.08 is hereby approved, to allow one interior parking area tree where three trees are required.
8. An Exception from Title 19.08 is hereby approved to allow 22 24-inch box trees within the perimeter landscape buffer areas where 28 trees are required.
9. 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 Building and Safety Division.
10. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
11. 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.
12. Trash enclosures shall be provided in conformance with the provisions of Title 19.08.040.E.

Conditions Page Three**November 12, 2024 - Planning Commission Meeting**

13. 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, which 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Per Title 13.12, dedicate associated spandrels at northwest corner of Olive Street and Atlantic Street and the southwest corner of Atlantic Street and Fremont Street prior to the issuance of permits for this site.
16. In accordance with code requirements of Title 13.56 and Section 2.2 of the City's Vision Zero Action Plan, remove all substandard offsite improvements and unused driveway cuts on Fremont Street and replace with new improvements meeting Public Right-of-Way Accessibility Guidelines (PROWAG) to the satisfaction of the City Engineer concurrent with development of this site. Grant Pedestrian Access Easement(s) if necessary to comply with this requirement. All existing paving damaged or removed by this development shall be restored at its original location, width and depth concurrent with development of this site.
17. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to issuance of permits. The team may be contacted at 702-229-6594 or emailed at ece@lasvegasnevada.gov.
18. 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.
19. No sales, display, or storage of sale vehicles shall take place in the public right-of-way.
20. 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, whichever may occur first. Provide and improve all drainage ways as recommended.

Fire & Rescue

21. 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 ******PROJECT DESCRIPTION**

The applicant is proposing a Motor Vehicle Sales development within an existing vacant building at 2550 Fremont Street.

ISSUES

- **Revised plans, date stamped 10/23/24, were submitted by the applicant showing increased landscaping and replacement of chain link fencing at the subject site.**
- The Motor Vehicle Sales use is a Conditional use in the C-2 (General Commercial) zoning district. Conditional Use Regulation #1 which limits the sale of vehicles in the C-2 (General Commercial) zoning district to new vehicles only is not met, as the applicant is proposing to sell used vehicles. Therefore, a Special Use Permit is requested, which staff supports.
- Therefore, staff is recommending approval of the requested land use entitlements.
- A Waiver of Title 19.08.080 is requested to allow a zero-foot wide landscape buffer along a portion of the west interior lot lines where eight feet is required. Staff supports the request.
- A Waiver of Title 19.08.080 is requested to allow a five-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required on a portion of the east property line. Staff supports the request.
- A Waiver of Title 19.08.080 is requested to allow a zero-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required on the north property line. Staff supports the request.
- An Exception of Title 19.08 is requested to allow one parking area tree where three trees are required. Staff supports the request
- An Exception of Title 19.08 is requested to allow 22 24-inch box trees within the perimeter landscape buffer areas where 28 trees are required. Staff supports the request.
- A mapping action will be required to consolidate the existing lots. A Condition of Approval has been added.
- Per the site plan, the existing chain link fencing around the subject site will be replaced with a five-foot tall wrought iron fence in the front yard area, and a six-foot tall perimeter fence.

Staff Report Page Two**November 12, 2024 - Planning Commission Meeting****ANALYSIS**

The subject site is zoned C-2 (General Commercial) and is subject to Title 19 development standards. Currently, the site is developed with a 1,327 square-foot vacant commercial building. The applicant is proposing a Motor Vehicle Sales Development within the existing building and site improvements. A Special Use Permit for the proposed Motor Vehicle Sales use is requested, as Conditional Use Regulation #1 is not met.

Per Title 19.12, the Motor Vehicle Sales use is defined as “A facility or area used primarily for the display, sale or leasing of new or used motor vehicles, including motorcycles and motor scooters, but excluding mopeds. This use includes the sale of related accessories.” The applicant intends to sell used motor vehicles.

The subject site will provide seven total parking spaces including one van-accessible ADA parking space, which complies with Title 19.12. The submitted building elevations indicate the existing commercial building is 24 feet tall measured to the top of the roof pitch. The building façade includes painted brick veneer, earth toned rock siding and asphalt shingles. Currently, the subject site is secured with chain link fencing which the applicant has proposed to replace with a six-foot tall wrought iron perimeter fence.

Pursuant to Title 19.08.080, a minimum 15-foot wide landscape buffer is required adjacent to Fremont Street, Atlantic Street, and Olive Street right-of-ways and an eight-foot wide buffer is required along the west perimeter interior lot lines for the site. Waivers of perimeter landscape buffer requirements are requested, as the submitted landscape plan indicates a zero-foot landscape buffer width adjacent to Fremont Street, a five-foot landscape buffer width adjacent to Atlantic Street and a zero-foot landscape buffer width is proposed along the west perimeter interior lot line. While a 15-foot wide perimeter landscape buffer is provided on a portion of the east property line adjacent to Atlantic Street, the buffer width decreases to five feet. Similarly, a five-foot wide landscape buffer is provided on a portion of the west interior lot line, however remaining portions provide no landscape buffer width due to site configuration. As shown in the revised landscape plan, a 15-foot wide perimeter landscape width is provided on the south property line and a total of 22 trees are proposed in the perimeter landscape buffer areas. The applicant is requesting Exceptions for a reduction of planting materials, as 28 perimeter trees are required. Given the increased landscaping efforts and subject site configuration, staff supports the requested Waivers and Exceptions of Title 19.08 requirements.

Staff finds the requested Waivers and Exceptions to be minor in nature and will not negatively impact the surrounding area. Furthermore, the proposed development is an example of rehabilitation and redevelopment of property as identified in the goals and objectives in Redevelopment Area 1 of the City of Las Vegas Redevelopment Plan. Therefore, staff recommends approval of the requested land use entitlements, subject to conditions.

Staff Report Page Three

November 12, 2024 - Planning Commission Meeting

FINDINGS (24-0391-SUP1)

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 can be conducted in a manner that is harmonious and compatible with the surrounding commercial land uses and future land uses.

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

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

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 subject site is accessible from Fremont Street and Atlantic Street which adequately meet 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 use, if approved, is subject to regular inspections by multiple government agencies, thus ensuring the public health, safety and welfare.

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

The proposed Motor Vehicle Sales use fails to meet Conditional Use Regulation #1, prompting this Special Use Permit request, which staff supports.

FINDINGS (24-0391-SDR1)

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 compatible with adjacent commercial development and development in the area.

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

The proposed development is consistent with the City of Las Vegas 2050 Master Plan and the Redevelopment Plan for Area 1 by rehabilitating an existing vacant building and proposing site improvements. Staff finds the requested Waivers and Exceptions of landscape requirements are minor in nature and will not adversely affect the surrounding area.

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

The subject site is accessible from Fremont Street and Atlantic Street. Traffic flow on either street will not be negatively affected by the existing access.

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

The proposed building, wrought iron fencing, and landscape materials are appropriate for the area and the city. The proposed landscape materials adhere to the recommendations of the Southern Nevada Regional Plant List.

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 proposed building elevations are not unsightly or obnoxious in appearance and are harmonious and compatible with development in the area.

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

Site development is subject to building permit review and inspection, thereby securing the public health, safety and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
01/18/95	The City Council denied the request for a Special Use Permit (U-304-94) to allow a used car lot at 2550 Fremont Street. The Board of Zoning Adjustment denied the request.
10/8/24	<p>The Planning Commission voted (7-0) to HOLD IN ABEYANCE on the following Land Use Entitlement project requests at 2550 Fremont Street (APNs 162-01-111-015 through 017), C-2 (General Commercial) Zone, Ward 3 (Diaz).</p> <ul style="list-style-type: none"> • 24-0391-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED MOTOR VEHICLE SALES USE • 24-0391-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A PROPOSED 1,327 SQUARE-FOOT MOTOR VEHICLE SALES DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS

<i>Most Recent Change of Ownership</i>	
01/22/24	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
1963	According to the Clark County Assessor, the building was constructed in 1963.

<i>Pre-Application Meeting</i>	
07/17/24	A pre-application meeting was held with the applicant and the submittal requirements for a Site Development Plan Review and Special Use Permit.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
08/21/24	Staff conducted a routine field check and observed an existing vacant building and chain link fencing surrounding the subject site.

Staff Report Page Six

November 12, 2024 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	0.56

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Vacant	TOD-1 (Transit Oriented Development - High)	C-2 (General Commercial)
North	Office, Other than listed	EM (Entertainment Mixed-Use) - Clark County	CG (Commercial General) - Clark County
South	General Retail Store, Other Than Listed	H (High Density Residential)	C-1 (Limited Commercial)
	Residential, Multi-Family		R-4 (High Density Residential)
East	Gaming Establishment, Non-restricted	NMU-U (Neighborhood Mixed Use Center)	C-2 (General Commercial)
	Alcohol, On-Premise Full		
	Restaurant		
West	Residential, Multi-Family	TOD-1 (Transit Oriented Development - High)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Downtown South	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area - Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y

DEVELOPMENT STANDARDS*Pursuant to 19.08, the following standards apply:*

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front (existing)	10 Feet	4 Feet	Y
• Side (existing)	10 Feet	37 Feet	Y
• Corner (existing)	10 Feet	12 Feet	Y
• Rear (existing)	20 Feet	60 Feet	Y
Max. Lot Coverage	50 %	5 %	Y
Max. Building Height	N/A	24 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Trellis	Y
Mech. Equipment	Screened	By Condition	Y

Pursuant to Title 19.08.080, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North (Fremont Street)	1 Tree / 20 Linear Feet	2 Trees	0 Trees	N*
• South (Interior Lot Line)	1 Tree / 20 Linear Feet	3 Trees	0 Trees	N*
• South (Olive Street)	1 Tree / 20 Linear Feet	9 Trees	14 Trees	Y
• East (Atlantic Street)	1 Tree / 20 Linear Feet	6 Trees	4 Trees	N*
• West (Interior Lot Lines)	1 Tree / 20 Linear Feet	11 Trees	4 Trees	N*
TOTAL PERIMETER TREES		28 Trees	22 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	1 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North (Fremont Street)	15 Feet		0 Feet	N*
• South (Interior Lot Line)	8 Feet		0 Feet	N*
• South (Olive Street)	15 Feet		15 Feet	Y
• East (Atlantic Street)	15 Feet		5 Feet	N*
• West (Interior Lot Line)	8 Feet		0 Feet	N*

Staff Report Page Eight

November 12, 2024 - Planning Commission Meeting

LANDSCAPE BUFFER WIDTHS			
Wall Height	6 to 8 Feet Adjacent to Residential	Not Indicated	N/A

*Waivers and Exceptions of planting materials are requested.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Fremont Street	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Atlantic Street	Local Street	Title 13	45	Y

Pursuant to Title 19.08 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	
Motor Vehicle Sales	1,327 SF	1 per 500 SF of enclosed GFA	3				
TOTAL SPACES REQUIRED			3		7		Y
Regular and Handicap Spaces Required			2	1	6	1	Y

Waivers		
Requirement	Request	Staff Recommendation
Provide a 15-foot landscape buffer width adjacent to right-of-way.	To allow a zero-foot landscape buffer width along the north property line.	Approval
Provide a 15-foot landscape buffer width adjacent to right-of-way.	To allow a five-foot landscape buffer width along a portion of the east property line.	Approval
Provide an eight-foot landscape buffer width for interior lot lines.	To allow a zero-foot landscape buffer width along a portion of interior lot lines.	Approval

<i>Exceptions</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Provide 28 trees within the landscape buffer areas.	To allow 22 perimeter landscape buffer area trees.	Approval
Provide three parking area trees.	To allow one parking area tree.	Approval