



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: APRIL 8, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: IBARRA'S COMMISSARY, LLC - OWNER: JUAN AND NORMA MARTINEZ FAMILY TRUST

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0650-VAR1	Staff recommends DENIAL, if approved subject to conditions:	
24-0650-SUP1	Staff recommends DENIAL, if approved subject to conditions:	24-0650-VAR1
24-0650-SUP2	Staff recommends APPROVAL, subject to conditions:	24-0650-VAR1 24-0650-SUP1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 172

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0650-VAR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0650-SUP1) and Special Use Permit (24-0650-SUP2) shall be required, if approved.
2. A Variance is hereby approved, to allow a six-foot tall wall/fence where an eight-foot solid wall is required.
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 Building and Safety Division.
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.

24-0650-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Commissary use.
2. Approval of and conformance to the Conditions of Approval for Variance (24-0650-VAR1) and Special Use Permit (24-0650-SUP2) shall be required, if approved.

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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 Building and Safety Division.
5. 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
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7. Prior to the issuance of a business license, provide a Commissary or Servicing Depot Agreement per Southern Nevada Health District Mobile Food Establishment Regulation 10-702 to verify waste disposal alternative and justify not needing a sewer service connection on-site.

24-0650-SUP2 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Open Air Vending/Transient Sales Lot use.
2. Approval of and conformance to the Conditions of Approval for Variance (24-0650-VAR1) and Special Use Permit (24-0650-SUP1) shall be required, if approved.
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. The proposed Open Air Vending (Food Truck) use is hereby approved, to allow the proposed Open Air Vending (Food Truck) to operate from 10:00am to 2:00am, where 10:00am to 8:00pm is allowed.

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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 Building and Safety Division.
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.

Public Works

8. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting two Special Use Permits to operate a proposed Commissary and Open Air Vending/Transient Sales Lot (Food Truck) use within an existing commercial development at 634 North Eastern Avenue.

ISSUES

- The proposed Commissary use is allowed within the C-2 (General Commercial) zoning district with an approved Special Use Permit. Staff recommends denial of this request.
- The proposed Open Air Vending (Mobile Food Truck) use is allowed within the C-2 (General Commercial) zoning district as a Conditional Land Use. A Special Use Permit is required for the Open Air Vending (Mobile Food Vendor), as the use does not comply with Conditional Use Regulation #7f. Staff recommends approval of this request.
- The applicant has requested a Variance (24-0650-VAR1) to allow existing perimeter walls and fences that do not conform to Title 19.08 outdoor storage screening requirements. Staff recommends denial of this request.

ANALYSIS

The subject 1.04-acre site located at 634 North Eastern Avenue within the East Las Vegas area of the 2050 Las Vegas Master Plan. The site is zoned C-2 (General Commercial) with a TOD-2 (Transit Oriented Development - Low) General Plan designation and is subject to Title 19 development standards. The site currently is developed with an existing 5,000 square-foot commercial building, business license history indicates the site was previously utilized for general retail sales in conjunction with a furniture store. The site is currently vacant as there are no active business licenses which operate on the site since 2020.

The applicant has requested a Special Use Permit (24-0650-SUP1) to operate a proposed Commissary use at the subject site, which will be the primary use of the site. Pursuant to Title 19.12 the use is allowed within the C-2 (General Commercial) zoning district with an approved Special Use Permit.

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Conditional Use Regulations:

1. The number of vehicles or trailers permitted to be parked or stored at the site, as well as all ancillary amenities provided at the site, shall be depicted on a site plan to be reviewed and approved by the Department. Storage spaces for vehicles and trailers shall be a minimum of nine feet by 18 feet; however, all spaces shall be sized and marked to accommodate a parked or stored vehicle completely within the designated space without projecting into a required drive aisle or landscape buffer.

The proposed development complies with this condition. The applicant has provided a site plan for review that depicts that the rear yard area will provide parking in the rear yard area for 36 commercial food trucks, which will have access to utilize an existing grease trap interceptor amenity in the rear yard area. The food truck storage spaces has been designed to be 11 feet wide by 26 feet long, which exceeds the minimum requirements and do not project into a required drive aisle or landscape buffer.

2. All areas used for the parking and storage of vehicles and trailers shall be paved with concrete asphalt and shall comply with the provisions of LVMC 19.08.040(E)(4)(e).

The proposed development does not comply with this condition. The applicant has requested a Variance (24-0650-VAR1) to allow an existing six-foot tall wall and wrought iron fence on the northern and southern perimeter of the site and a 10-foot tall wall and fence (six-foot CMU with four-foot J-hooks) on the eastern perimeter where an eight-foot tall solid wall is required by Title 19.08.040(E)(4)(e) Outdoor Storage Area Screening development standards. Staff notes that the existing 10-foot tall wall and fence (six-foot CMU with four-foot J-hooks) on the eastern perimeter was installed by the adjacent Senior Citizen Apartments development on the east perimeter of the site and was approved via Variance (VAR-13430), which was approved by the City Council on August 16, 2006. The submitted Justification Letter states, "all parking spaces and storage area will be paved for use."

3. Vehicle wash stations, if provided, shall be designated on an approved site plan, sloped/bermed to contain run-off water and other contaminants, and shall be connected to the sanitary sewer system through an approved interceptor in compliance with all code requirements. Vehicle washing is prohibited except within the approved wash stations.

This condition is not applicable. The applicant has indicated in the submitted Justification Letter that vehicle wash stations will not be provided at the proposed commissary.

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4. If ancillary services such as vehicle wash stations, potable water refilling stations and liquid waste dumping stations are provided to the public, vehicle queueing for the stations shall be provided independent of vehicle storage spaces, and:

- a) Shall be provided entirely on the site. Queueing in the public right-of-way is prohibited;
- b) Shall not interfere with the flow of vehicular or pedestrian traffic throughout the site; and
- c) Shall be designed so that all vehicles enter and leave the site in a forward direction

The proposed development complies with this condition. The proposed development will provide water refill and liquid waste dumping stations in the rear yard area of the property. The station is located entirely on site and away from the vehicle storage spaces, and are located out of the way of the flow of both pedestrian and vehicular traffic. The site has been designed so that the commercial food trucks have a minimum 69-foot wide drive aisle between parking spaces, which will provide ample space for vehicles to enter and exit the site in a forward direction.

5. The use, as well as all services offered at the site, shall comply with all Federal, State and local requirements.

The proposed development complies with this condition. The applicant will be required to comply with all Federal, State and local requirements by the Department of Community Development - Business Licensing Division.

6. The Special Use Permit provisions of LVMC 19.12.040(B) do not apply to this use.

The proposed development complies with this condition.

Staff finds that the proposed commissary development is not compatible with the surrounding commercial land uses in the area as evidenced by the requested Variance (24-0650-VAR1) to allow existing perimeter walls and fences that do not conform to Title 19.08 outdoor storage screening requirements. The site is surrounded by existing six-foot tall walls on the northern and southern perimeter of the site and a 10-foot tall wall and fence (six-foot CMU with four-foot J-hooks) on the eastern perimeter where an eight-foot tall solid wall is required, which does not provide adequate screening of the rear yard area and may create a negative impact to the properties that surround the subject site. Therefore, staff recommends denial of the requested Variance (24-0650-VAR1) and associated Special Use Permit (24-0650-SUP1) for the proposed commissary land use.

Also, the applicant has requested a Special Use Permit (24-0650-SUP2) to allow an Open Air Vending (Mobile Food Vendor) use to operate on the subject site within a parking spaces in the front parking lot area directly in front of the building. The proposed Open Air Vending (Mobile Food Truck) use is allowed within the C-2 (General Commercial) zoning district as a Conditional Land Use.

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However, the submitted Justification Letter indicates the proposed use does not comply with Conditional Use Regulation 7(f), which states “Adjacent to a residentially zoned lot the hours of operation shall be limited to the period between 10 a.m. and 8 p.m.” Due to the fact the eastern perimeter of the subject site is adjacent to existing Senior Citizens Apartment development with R-3 (Medium Density Residential) zoning. The applicant has requested to operate another Open Air Vending (Food Truck) from 10am to 2am.

An Open Air Vending/Transient Sales Lot use is described in Tile 19.12 as: “An outdoor area or lot that is used exclusively, or on a regular or periodic basis, for the sale or taking of orders for any merchandise, including food items, where such merchandise is displayed or sold within or upon the area or lot. This use includes the display or sale of merchandise by means of Open Air Vending, Mobile Food Vending and a Farmer’s Market. This use includes the display or sale of merchandise by means of Open Air Vending and Mobile Food Vending.

Conditional Use Regulations:

1. No signage, including temporary signage, is allowed, except that, in the case of Open Air Vending or Mobile Food Vending, the vehicle or portable unit may include signage which is affixed thereto but only to the extent such signage is not prohibited by LVMC 19.08.120(E)(3).

No additional temporary signage has been proposed with this project.

2. The site must be kept free of any litter or debris at all times.

The applicant will be required to keep the site free of any litter or debris at all times.

3. No structures shall be allowed within the public right-of-way.

There are no structures proposed within the public right-of way with this project.

4. The installation of permanent or temporary tables, chairs, tents, or coverings for dining areas (including tarps and umbrellas) is prohibited, except when the use of such facilities has been approved by means of a Site Development Plan Review or is within the plaza area of a commercial lot.

No permanent or temporary tables, chairs, tents, or coverings for dining areas (including tarps and umbrellas) have been proposed with this project.

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5. Vehicles or portable units used in the operation may not occupy:
- a. Required parking spaces or required drive aisles; or
 - b. Required loading zones, unless otherwise permitted under Conditional Use Regulation 8.

The proposed Open Air Vending operation is located on the western perimeter of the existing commercial building within a parking space within the front parking area and is not located within any required parking spaces or required drive aisles.

6. The vending/sales activity must be located at least 150 feet from residential development except where the location is part of a mixed-use development.

The proposed Open Air Vending operation is located approximately 208 feet away from the existing Senior Citizen Apartments located to the eastern perimeter of the subject site.

7. For Open Air Vending, in addition to Conditional Use Regulations 1 through 6:
- a. No such vending is permitted in the O (Office) Zoning District;

The subject site is located within the C-2 (General Commercial) zoning district.

- b. No such vending is permitted on undeveloped lots or developed lots with unoccupied structures or unpaved surfaces;

The proposed Open Air Vending operation is located on an existing commercial development which provides a paved surface.

- c. No such vending is permitted within landscaped areas;

The proposed Open Air Vending operation is not located within landscape area.

- d. No more than one vendor is permitted on any one lot, and the vending area shall be limited to a maximum of 500 square feet; provided, however, that those limitations do not apply:

- i. In connection with a Special Event Permit that allows a greater level of vending activity by means of Open Air Vending;
- ii. On a parcel whose development approval or approvals contemplate a greater level of vending activity by means of Open Air Vending; or
- iii. Within the plaza area of a commercial lot;

The proposed use complies with this condition. The applicant has proposed to operate one Open Air Vendor on the subject site. In addition, the vending area for the one food truck is approximately 18 feet long by nine feet wide equaling 162 square feet in size.

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e. At a location other than the plaza area of a commercial lot, vending operations shall comply with required building setbacks for that location;

The proposed use complies with this condition. The submitted plans indicate the proposed Open Air Vending (Food Truck) is located 50 feet from the front yard property line adjacent to Eastern Avenue, where 10 feet is required; and are 40 feet and 30 feet respectively from the north and south side yard property lines where 10 feet is the minimum required by Title 19.08.

f. On any lot that is adjacent to a residentially zoned lot, the hours of operation shall be limited to the period between 10 a.m. and 8 p.m.; and

The proposed use does not comply with this condition. The applicant has requested a Waiver of this condition to allow the proposed Open Air Vending (Food Truck) to operate from 10:00am to 2:00am, where 10:00am to 8:00pm is allowed.

g. No supply or drainage pipes or power supply cords that pertain to the vending operation may be placed on or across surface parking or unimproved areas, or be attached to adjoining or nearby buildings, unless the vending operation is located immediately adjacent to the building so that the attached pipes or power cords have minimal exposure and do not present a potential hazard for passersby.

The applicant has indicated in the submitted Justification Letter that they will comply with this condition.

The proposed food truck has been located on the western perimeter of the site adjacent to Eastern Avenue within a paved parking area that has existing commercial uses to the north, south and west. Staff has determined the request to amend the allowable hours to operate from 10:00am to 2:00am, where 10:00am to 8:00pm is allowed is suitable for the subject site. Furthermore, the existing residential land use located to the east of the subject site, is approximately 205 feet away from where the food trucks will be located and will not be negatively impacted by the Open Air Vending operation on the subject site. Therefore, staff recommends approval of the Special Use Permit (24-0650-SUP2) with conditions.

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FINDINGS (24-0650-VAR1)

In accordance with the provisions of Title 19.16.140(B), the 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 requesting to screen the rear yard area with existing walls and fences that do not conform with the provisions of Title 19.08.040(E)(4)(e). Alternative design of the walls and fences 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 (24-0650-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.**

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Staff has determined that the proposed commissary land use is not compatible or harmonious with surrounding commercial land uses as evidenced by the requested Variance (24-0650-VAR1) to allow existing perimeter walls and fences that do not conform to Title 19.08 outdoor storage screening requirements. Staff has determined that the existing walls and fences do not provide adequate screening of the rear yard area and may create a negative impact to the properties that surround the subject site.

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

The proposed commissary will be located within an established commercial development. There is no evidence of a physical constraint 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.

Primary site access is from Eastern Avenue, a 100-foot wide Primary Arterial, as designated by the Master Plan of Streets and Highways Map. This right-of-way provides adequate capacity to serve 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 Commissary 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.

The proposed use does not comply with Condition #2 which states, "All areas used for the parking and storage of vehicles and trailers shall be paved with concrete asphalt and shall comply with the provisions of LVMC 19.08.040(E)(4)(e)." The applicant has requested a Variance (24-0650-VAR1) to allow existing perimeter walls and fences that do not conform to Title 19.08 outdoor storage screening requirements. Staff has determined that the existing walls and fences do not provide adequate screening of the rear yard area and may create a negative impact to the properties that surround the subject site. Therefore, staff recommends denial of the requested Special Use Permit (24-0650-SUP1) for the proposed commissary land use.

FINDINGS (24-0650-SUP2)

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 Open Air Vending (Food Truck) use is compatible with the TOD-2 (Transit Oriented Development - Low) General Plan land use designation and C-2 (General Commercial) zoning district and is located within an existing commercial development. The proposed use requires approval of a Special Use Permit to amend its hours of operation to 10:00am to 2:00am, where 10:00am to 8:00pm is allowed. Staff has determined that the proposed use can be conducted in a manner that is harmonious and compatible with the surrounding land uses.

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

The proposed Open Air Vending (Food Truck) will be located within an established commercial development. There is no evidence of a physical constraint 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.**

Primary site access is from Eastern Avenue, a 100-foot wide Primary Arterial, as designated by the Master Plan of Streets and Highways Map. This right-of-way provides adequate capacity to serve 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 Open Air Vending (Food Truck) 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.

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

The proposed use meets all conditions except 7(f), the applicant has requested a Special Use Permit (24-0650-SUP2) to amend the allowable hours of operation. Staff supports the applicant's request for a Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
06/23/94	The Planning Commission approved a request for an Aesthetic Review (AR-0008-94) for a proposed retail store located at 634 North Eastern Avenue.
02/19/03	The City Council approved a request for a Special Use Permit (SUP-1416) for an Open Air Vending/Transient Sales Lot for a proposed hot-dog vending cart at 634 North Eastern Avenue. The Planning Commission and staff recommended approval of the request.
08/16/06	The City Council approved a request for a Variance (VAR-13430) to allow ten-foot perimeter walls where eight feet is the maximum height allowed for a senior citizen apartment development on 8.98 acres adjacent to the west side of Effinger Lane, approximately 300 feet south of Harris Avenue.
06/02/21	The City Council approved a request for a General Plan Amendment (21-0029-GPA1) 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 NMUX (Neighborhood Center Mixed Use) within the City of Las Vegas. The Planning Commission and staff recommended approval of the request.
09/30/24	A Business Licensing Enforcement case (#BLE995970) was processed for an unlicensed food vendor selling food at 634 North Eastern Avenue. The case has not been resolved.

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
03/11/25	<p>The Planning Commission voted (6-0) to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 1.04 acres at 634 North Eastern Avenue (APN 139-25-407-004), C-2 (General Commercial) Zone, Ward 3 (Diaz).</p> <p>24-0650-VAR1 - VARIANCE - TO ALLOW EXISTING PERIMETER WALLS AND FENCES THAT DO NOT CONFORM TO TITLE 19.08 OUTDOOR STORAGE SCREENING REQUIREMENTS</p> <p>24-0650-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED COMMISSARY USE</p> <p>24-0650-SUP2 - SPECIAL USE PERMIT - FOR A PROPOSED OPEN AIR VENDING/TRANSIENT SALES LOT USE</p>

<i>Most Recent Change of Ownership</i>	
12/16/20	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
06/17/15	A business license (G63-04337) was issued for a General Retail Sales (Hollywood Furniture) at 634 North Eastern Avenue. The license was marked out of business on 02/05/20.
10/26/17	A business license (G65-07851) was processed for Express or Delivery Service (Fast Way Delivery Services) at 634 North Eastern Avenue. The license has not been issued.
03/29/18	A building permit (#L18-00557) was issued to install a 4' x 5' bell hole (Southwest Gas Corporation) at 634 North Eastern Avenue. The permit was finalized on 12/27/18.
04/13/20	A building permit (#L20-00740) was issued to replace a concrete pad (LVVWD) at 634 North Eastern Avenue. The permit was finalized on 01/27/21.
07/02/20	A business license (G68-03085) was issued for General Retail Sales (Hollywood Furniture, LLC) at 634 North Eastern Avenue. The license is currently in collections.
06/17/22	A business license (G70-04192) was processed for General Retail Sales (Hollywood Furniture) at 634 North Eastern Avenue. The license has not been issued.

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<i>Related Building Permits/Business Licenses</i>	
10/17/22	A business license (P70-00257) was processed for Secondhand Dealer Class II (Bevans Enterprises, LLC) at 634 North Eastern Avenue. The license has not been issued.
12/14/22	A business license (P70-00279) was issued for a Secondhand Dealer (Bevans Enterprises, LLC) at 634 North Eastern Avenue. The license was marked out of business on 01/10/23.
01/11/24	A business license (G72-00236) was processed for General Retail Sales (F&R Appliances) at 634 North Eastern Avenue. The license has not been issued.
05/08/24	A business license (G72-02954) was processed for Automotive Sales with Minor Repair (First Class Auto Sales) at 634 North Eastern Avenue. The license has not been issued.

<i>Pre-Application Meeting</i>	
12/05/24	A pre-application meeting was conducted with the applicant to go over the application materials and submittal requirements for two Special Use Permits and Variance applications for a proposed Commissary development with an Open Air Vending – Mobile Food Vendor in the front parking lot area.

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

<i>Field Check</i>	
01/30/25	During a routine site visit staff observed a well maintained vacant commercial building free of trash and debris.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.04

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<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	Vacant	TOD-2 (Transit Oriented Development - Low)	C-2 (General Commercial)
North	General Retail Store, Other than Listed	TOD-2 (Transit Oriented Development - Low)	C-2 (General Commercial)
	Restaurant		
South	Motor Vehicle Parts Sales, Installation and repair	TOD-2 (Transit Oriented Development - Low)	C-2 (General Commercial)
	Energy Substation		C-V (Civic)
East	Senior Citizen Apartments	TOD-2 (Transit Oriented Development - Low)	R-3 (Medium Density Residential)
West	General Retail Store, Other than Listed	TOD-2 (Transit Oriented Development - Low)	C-1 (Limited Commercial)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: East Las Vegas	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Area or Overlay Districts	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	N/A
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 19.08.040(E)(4)(e), the following standards apply:

Outdoor Storage Screening Standards			
Standards	Required	Provided	Compliance
Wall/Fence Height	8-foot solid CMU wall	6-foot tall solid CMU wall	N*
		6 to 8-foot tall wrought iron fence	N*
		10-foot tall wall and fence (6-foot solid CMU wall with 4-foot J-hooks)	N*

*The applicant has requested a Variance (24-0650-VAR1) to allow existing perimeter walls and fences that do not conform to Title 19.08 outdoor storage screening requirements

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Eastern Avenue	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Poppy Lane	Local Street	Title 13	20	Y

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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	
Commissary	5,000 SF	1:250, plus one space for every two stored vehicles or trailers (5,000 / 250 = 20) & 36 spaces for trucks/2 = 18) (20+18= 38)	38				
TOTAL SPACES REQUIRED			38		43		Y
Regular and Handicap Spaces Required			36	2	41	2	Y