



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: JANUARY 14, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: RAY GERMAIN - OWNER: WINWAY, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0329-VAR1	Staff recommends DENIAL, if approved subject to conditions:	
24-0329-SUP1	Staff recommends DENIAL, if approved subject to conditions:	24-0329-VAR1
24-0329-SDR1	Staff recommends DENIAL, if approved subject to conditions:	24-0329-VAR1 24-0329-SUP1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

NOTICES MAILED 475

PROTESTS 3

APPROVALS 0

**** CONDITIONS ****

24-0329-VAR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0329-SUP1) and Site Development Plan Review (24-0329-SDR1) shall be required, if approved.
2. A Variance is hereby approved to allow 78 parking spaces where 150 spaces are 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.

24-0329-SUP1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (24-0329-VAR1) and Site Development Plan Review (24-0329-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.

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

24-0329-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (24-0329-VAR1) and Special Use Permit (24-0329-SUP1) shall be required, if approved.
2. Conformance to the Conditions of Approval for Plot Plan and Building Elevation Review (Z-0124-88) shall be required, except as 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 and landscape plan, date stamped 11/13/24, and building elevations, date stamped 09/11/24, except as amended by conditions herein.
5. A Waiver from Title 19.08.070 is hereby approved, to allow a 10-foot wide landscape buffer width along a portion of the south property line where 15 feet is required.
6. A Waiver of Title 19.08.070 is hereby approved, to allow an 11-foot wide landscape buffer width along a portion of the east property line where 15 feet is required.
7. An Exception from Title 19.08 is hereby approved, to allow 25 24-inch box trees within the perimeter landscape buffer areas where 29 trees are required.
8. An Exception from Title 19.08 is hereby approved, to allow 11 interior parking lot islands and row end caps with 24-inch box trees where 20 trees are required.

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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. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
12. Trash enclosures shall be provided in conformance with the provisions of Title 19.08.040.E.
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. Prior to or at the time of submittal for any building permit, the applicant shall provide written verification by the Federal Aviation Administration (FAA), the Clark County Department of Aviation, or both, of the following:
 - a. Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA.
 - b. Applicant is advised that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments. Applicant is advised that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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- c. No building permits should be issued until the applicant provides evidence that a “Determination of No Hazard to Air Navigation” has been issued by the FAA.
 - d. No structure greater than 35 feet in height shall be permitted to be erected or altered that would constitute a hazard to air navigation, or would result in an increase to minimum flight altitudes during any phase of flight, or would otherwise be determined to pose a significant adverse impact on airport or aircraft operations.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

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, if any, 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. Additionally, extend existing median on Rainbow Boulevard to restrict the driveways to a right in, right out turn movement as determined in the required Traffic Impact Analysis.
17. Unless otherwise allowed by the City Engineer, construct sidewalk on the north side of the northern driveway to connect this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street for 50 feet into the site and shall be terminated on-site with a handicap ramp.
18. 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.
19. 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.

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20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. The Traffic Impact Analysis shall also include a pedestrian circulation/access plan, in accordance with Section 2.2 of the City's Vision Zero Action Plan, to identify nearby pedestrian attractors and recommend measures to accommodate pedestrians, such as but not limited to pedestrian access, crosswalk, pedestrian activated flashers and temporary sidewalks. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
21. Queues for the overall shopping center shall not extend into the public right-of-way as a result of the drive-thru operations on this site.
22. 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 or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

Fire & Rescue

23. The existing building located at 2421 N. Rainbow road will have to be retrofitted with fire sprinklers due to lack of fire access, or provide an acceptable fire access lane.
24. 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a proposed one-story, 4,633 square-foot commercial building with drive-through and parking lot reconfiguration within an existing commercial development at the northwest corner of Smoke Ranch Road and Rainbow Boulevard.

ISSUES

- Pursuant to Title 19.12, the Drive-Through use is permitted conditionally in the C-1 (Limited Commercial) zoning district. However, a Special Use Permit is requested, as the proposed use does not meet drive-through screening requirements set forth in Conditional Use Regulation #2 . Staff does not support the request.
- A Site Development Plan Review is requested for a proposed commercial development with drive-through and parking lot reconfiguration. The existing 10,550 square-foot building located on the west of the subject site will remain. Staff does not support the request.
- A Variance is requested to allow 78 parking spaces where 150 parking spaces are required. Staff does not support the request.
- A Waiver of Title 19.08.070 is requested to allow a 10-foot wide landscape buffer width along a portion of the south property line where 15 feet is required. Staff does not support the request.
- A Waiver of Title 19.08.070 is requested to allow an 11-foot wide landscape buffer width along a portion of the east property line where 15 feet is required. Staff does not support the request.
- An Exception of Title 19.08.110 is requested to allow 11 parking area trees where 20 trees are required. Staff does not support the request.
- An Exception of Title 19.08.040 is requested to allow 25 24-inch box trees within the perimeter landscape buffer areas where 29 trees are required. Staff does not support the request.
- The Las Vegas Valley Water District (LVVWD) has commented, "Civil plans will need to be submitted to LVVWD."

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ANALYSIS

The subject site is zoned C-1 (Limited Commercial) and is subject to Title 19 development standards. Currently, the site is developed with a 10,550 square-foot commercial building located on the west and a car wash development which was approved by a Plot Plan and Building Elevation Review (Z-0124-88) in 1989. The applicant is proposing to remove the existing car wash development, reconfigure the parking lot and construct a one-story, 4,633 square-foot commercial building with a drive-through. The existing commercial building located on the west side of the property will remain. The proposed commercial building is intended to have a restaurant with drive-through and space for general retail, as shown in the submitted floor plan.

The proposed Restaurant use is permitted in the C-1 (Limited Commercial) zoning district. The Drive-Through use is a conditional use in this zoning district; however, the applicant does not meet Conditional Use Regulation #2. Therefore, the applicant is requesting a Special Use Permit to allow the proposed Drive-Through use, as Waivers and Exceptions of required landscaping are requested as part of the Site Development Plan Review.

Per Title 19.2, the Drive-Through use is defined as, "The use of a dedicated drive lane that, incidental to a principal use, provides access to a station, such as a window, door or mechanical device, from which occupants of a motor vehicle receive or obtain a product or service.

The Conditional Use Regulations for this use include:

1. A single-station drive-through shall have a stacking lane that will accommodate a minimum of six vehicles, including the vehicle at the station. A multiple-station drive-through shall have stacking lanes that will accommodate a minimum of three vehicles per station, including the vehicle at that station.

The proposed use meets this requirement, as a single-station drive-through is proposed that can accommodate six vehicles.

2. The drive-through shall be screened in accordance with LVMC 19.08.040(F).

The proposed use does not meet this requirement, as a Waiver to allow a reduced landscape buffer width and Exceptions of planting materials are requested. Therefore, a Special Use Permit is requested which staff does not support.

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3. In the O (Office) and C-D (Designed Commercial) Districts, a drive-through shall be separated from any residentially zoned property by an intervening building and shall not have access to local residential streets.

This condition is not applicable, as the subject site is zoned C-1 (Limited Commercial).

The submitted building elevations indicate the proposed 4,633 square-foot commercial development will be 24 feet tall. The building façade includes stucco with a painted finish in neutral colors, split face CMU veneer, and awnings provided at the building doors. The existing building on-site is depicted in similar finish and colors to match the proposed development. Existing chain link fencing located on the south of the subject site is labeled to be removed. A condition of approval has been added to ensure the proposed trash enclosure will conform to the screening requirements outlined in Title 19.08.040.

The subject site will provide 78 parking spaces including five ADA parking spaces. With the proposed building addition and existing land uses at the subject site, 150 total parking spaces are required. As such, a Variance is requested to allow a reduction in the number of parking spaces required. No evidence of a unique or extraordinary circumstance has been presented to warrant the requested Variance, therefore staff finds this to be a self-imposed hardship and does not support the request.

Pursuant to Title 19.08.070, a minimum 15-foot wide landscape buffer is required adjacent to right-of-way on the east and south perimeter. Waivers of perimeter landscape buffer requirements are requested, as the submitted landscape plan indicate a landscape buffer width that reduces to 10 feet along a portion of the south property line and an 11-foot landscape buffer width along a portion of the east property line. The applicant also requests Exceptions for a reduction of required planting materials. As explained in the submitted justification letter, landscaping requirements cannot be met due to existing overhead power lines along the south property line, limited parking space, and traffic flow concerns. The City of Las Vegas 2050 Master Plan has prioritized increasing tree canopy across all areas of the city as one of the strategies to mitigate the urban heat island effect. Therefore, staff does not support the requested Waivers and Exceptions of landscape requirements.

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Comments received from the Clark County Department of Aviation included the following:

Federal Aviation Regulations (14 CFR, Part 77) and City of Las Vegas Municipal Code (Title 19.10.080) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon aircraft operations, and allows the FAA to determine whether the development should be obstruction marked or lighted.

The proposed development will exceed the 100:1 notice requirement for the North Las Vegas Airport (VGT). Therefore, as required by 14 CFR Part 77, the FAA must be notified of the proposed construction or alteration. Conditions of approval have been added to ensure compliance with these provisions.

The City Transportation Engineering Division has commented, "This project is expected to add an additional 1,229 trips per day on Rainbow Boulevard and Smoke Ranch Road. Currently, Rainbow Boulevard is at about 75 percent of capacity and Smoke Ranch Road is at about 54 percent of capacity. With this project, Rainbow Boulevard is expected to be about 78 percent of capacity and Smoke Ranch Road is expected to be about 57 percent of capacity. Based on Peak Hour use, this development will add into the area roughly 71 additional peak hour trips, or about five every two minutes."

Staff finds the proposed development is not harmonious or compatible with the existing and future development in the surrounding area. This is evidenced by the requested Variance of parking requirements and Waivers and Exceptions of landscaping requirements. Therefore, staff recommends denial of all requested entitlements. If approved, they will be subject to conditions.

FINDINGS (24-0329-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."

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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 proposing development that fails to provide the required amount of parking spaces required. 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 (24-0329-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 Drive-Through use cannot be conducted in a manner that is harmonious and compatible with the existing surrounding land uses and future land uses as the site will not provide enough parking spaces to meet parking requirements.

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

The subject site is not physically suitable for the type and intensity of land use proposed as evidenced by the requested Waivers to allow reduced landscape buffer widths and Variance to allow 78 parking spaces where 150 spaces are required.

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- 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 Rainbow Boulevard, an 80-foot Collector street as designated by the Master Plan of Streets and Highways, which is adequate in size to 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 is subject to regular inspections and business licensing compliance to ensure the public health, safety, and welfare or the overall objectives of the General Plan are not compromised.

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

The proposed Drive-Through use fails to meet Conditional Use Regulation #2, prompting this Special Use Permit request, which staff does not support.

FINDINGS (24-0329-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, however the development increases the amount of parking spaces required. The site will not provide sufficient parking for the proposed development; as such, a Variance for a reduction in required parking at the subject site is requested.

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 not consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards, as landscaping and parking requirements are not met. No evidence of a unique circumstance is presented to warrant the requested Variance to allow a reduction in required parking spaces. Additionally, the requested Waivers and Exceptions of landscaping requirements do not further the goal of increasing tree canopy across all areas of the City identified in the General Plan.

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

The subject site is accessible from Rainbow Boulevard. Traffic flow 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 commercial building materials are appropriate for the area and for the City. Landscape materials must comply with the Southern Nevada Regional Plant List and are therefore appropriate for the area and for the City.

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 façade will feature painted stucco with neutral colors and split face CMU veneer. The building façade for the existing building that will remain will also feature a painted stucco and split face CMU to match the proposed development. The building elevations will not be unsightly or obnoxious and will be 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>	
01/04/89	The City Council approved a request for Rezoning (Z-0124-88) from N-U (Non-Urban) to C-1 (Limited Commercial) on 1.90 acres at the northwest corner of Smoke Ranch Road and Lorenzi (now Rainbow) Boulevard. The Planning Commission and staff recommended approval.
09/26/89	The Planning Commission approved a Plot Plan and Building Elevation Review (Z-0124-88) for a proposed commercial center with a self-service car wash at the northwest corner of Smoke Ranch Road and Lorenzi (now Rainbow) Boulevard. Staff recommended approval.
12/28/93	The Board of Zoning Adjustment approved a request for a Variance (V-0137-93) to allow 114 parking spaces where 140 spaces are required for an existing retail center at 2417 North Rainbow Boulevard. Staff recommended denial.
03/06/19	The City Council approved a request for an Extension of Time (EOT-75603) for a nonconforming liquor establishment (Tavern) use at 2425 North Rainbow Boulevard.
06/05/19	The City Council approved a request for an Extension of Time (EOT-76251) for a nonconforming liquor establishment (Tavern) use at 2425 North Rainbow Boulevard.
04/17/23	A Code Enforcement case (#CE23-02094) was processed for graffiti at 2425 North Rainbow Boulevard. The case was resolved on 05/08/23.
01/16/24	A Code Enforcement case (#CE24-00206) was processed for trash and debris at 2425 North Rainbow Boulevard. The case was resolved on 01/23/24.
12/10/24	<p>The Planning Commission (7-0 vote) to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 1.86 acres at the northwest corner of Smoke Ranch Road and Rainbow Boulevard (APN 138-15-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends DENIAL on the Land Use Entitlement project.</p> <p>24-0329-VAR1 - VARIANCE - TO ALLOW 78 PARKING SPACES WHERE 150 SPACES ARE REQUIRED</p> <p>24-0329-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED DRIVE-THROUGH USE</p>

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
12/10/24	<p>The Planning Commission (7-0 vote) to HOLD IN ABEYANCE the following Land Use Entitlement project requests on 1.86 acres at the northwest corner of Smoke Ranch Road and Rainbow Boulevard (APN 138-15-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen). Staff recommends DENIAL on the Land Use Entitlement project.</p> <p>24-0329-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A MAJOR AMENDMENT TO AN APPROVED PLOT PLAN AND BUILDING ELEVATION REVIEW (Z-0124-88) FOR THE PROPOSED ADDITION OF A ONE-STORY 4,633 SQUARE-FOOT COMMERCIAL BUILDING WITH DRIVE-THROUGH DEVELOPMENT AND PARKING LOT RECONFIGURATION WITH A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS</p>

<i>Most Recent Change of Ownership</i>	
09/14/22	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/21/94	A building permit (#94316293) was issued for a tenant improvement for a restaurant and tavern at 2425 North Rainbow Boulevard.
09/09/98	A building permit (#94316293) was issued for tenant improvements at 2425 North Rainbow Boulevard.
06/15/05	A business license (C15-00330) was issued for a convenience store at 2405 North Rainbow Boulevard. The license is active and set to renew on 01/01/25.

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Related Building Permits/Business Licenses	
04/15/15	A business license (G63-02455) was issued for a self-serve car wash at 2435 North Rainbow Boulevard. The license was deemed inactive on 05/08/23.
01/24/18	A business license (G65-07043) was issued for a restaurant at 2405 North Rainbow Boulevard. The correct business address is 2409 North Rainbow Boulevard. The license remains active and is set to renew on 01/01/25.
05/28/20	A business license (G68-03289) was issued for a restaurant at 2425 North Rainbow Boulevard. The license was deemed inactive as of 07/31/24.
	A business license (P67-00328) was issued for restricted gaming at 2425 North Rainbow Boulevard. The license was deemed inactive as of 07/31/24.
	A business license (P67-00327) was issued for a tavern at 2425 North Rainbow Boulevard. The license was deemed inactive as of 07/31/24.
01/20/21	A business license (G68-08333) was issued for a smoke shop at 2421 North Rainbow Boulevard. The license is active and set to renew on 01/01/25.
10/25/24	A demolition permit (#C24-03247) was issued for the interior of 2425 North Rainbow Boulevard.
10/31/24	A business license (G72-06613) was issued for a beauty salon at 2415 North Rainbow Boulevard. The license is active and set to renew on 10/01/25.

Pre-Application Meeting	
06/18/24	A pre-application meeting was held with the applicant.

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

Field Check	
10/29/24	Staff conducted a routine field check and observed an existing commercial building and car wash development.

Details of Application Request	
Site Area	
Net Acres	1.86

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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	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
	Alcohol, On-Premise Full		
	Gaming Establishment, Restricted		
	General Personal Service		
	General Retail, Other Than Listed		
North	Residential, Multi-Family	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Shopping Center	NMX-U (Neighborhood Mixed Use Center)	C-1 (Limited Commercial)
East	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
West	Residential, Multi-Family	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Twin Lakes	N
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District (140 Feet)	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Bike Trail Existing - Smoke Ranch Road)	Y
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	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	250 Feet	Y
Min. Setbacks			
• Front	10 Feet	57 Feet	Y
• Side	10 Feet	183 Feet	Y
• Corner	10 Feet	26 Feet	Y
• Rear	20 Feet	142 Feet	Y
Max. Lot Coverage	50 %	19 %	Y
Max. Building Height	N/A	24 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08 and Plot Plan and Building Elevation (Z-0124-88), the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 25 Linear Feet	11 Trees	12 Trees	Y
• South	1 Tree / 20 Linear Feet	13 Trees	6 Trees	N*
• East	1 Tree / 40 Linear Feet	5 Trees	7 Trees	Y
• West	N/A	N/A	0 Trees	Y
TOTAL PERIMETER TREES		29 Trees	25 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	20 Trees	11 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	8 Feet		10 Feet	Y
• South	15 Feet		10 Feet	N**
• East	15 Feet		11 Feet	N**
• West (Existing)	0 Feet		0 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		By Condition	Y

*Exceptions of required planting materials are requested.

**Waiver to allow reduced landscape buffer widths are requested.

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Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Rainbow Boulevard	Collector	Master Plan of Streets and Highways Map	80	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	
Restaurant with Drive-Through (Proposed)	1,240 SF 1,083 SF	1 space per 50 SF public seating and waiting plus 1 space per 200 SF remaining floor area	31				
General Retail, Other Than Listed (Proposed)	2,310 SF	1 space per 175 SF	14				
General Personal Service	2 Nail Stations 6 Hair Stations	2 spaces per nail chair/station plus 3 spaces per hair station	22				
General Retail, Other Than Listed [Smoke Shop]	1,075 SF	1 space per 175 SF	6				

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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	
Restaurant [Habanero Grill]	980 SF 1,020 SF	1 space per 50 SF public seating and waiting plus 1 space per 200 SF remaining floor area	25				
General Retail, Other Than Listed [La Islena Market]	2,000 SF	1 space per 175 SF	12				
Restaurant with Alcohol [Coopy's Tavern]	1,125 SF	1 space per 50 SF public seating and waiting plus 1 space per 200 SF remaining floor area	23				
	3,375 SF		17				
TOTAL SPACES REQUIRED			150			78	
Regular and Handicap Spaces Required			145	5	73	5	N*
Loading Spaces			1		1		Y
Percent Deviation			52%				

*A Variance is requested to allow a reduction in parking spaces.

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Provide a 15-foot wide landscape buffer width adjacent to right-of-way.	To allow a 10-foot landscape buffer width along a portion of the south property line.	Denial
Provide a 15-foot wide landscape buffer width adjacent to right-of-way.	To allow an 11-foot wider landscape buffer width along a portion of the east property line.	Denial

<i>Exceptions</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Provide 29 trees within the landscape buffer areas.	To allow 25 perimeter landscape buffer area trees.	Denial
Provide 20 parking area trees.	To allow 11 parking area trees.	Denial