



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: JUNE 18, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: TRAVELLERS AUTOBARN INC - OWNER: FLORESTA, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0256-VAR1	Staff recommends DENIAL, if approved subject to conditions:	
24-0256-SUP1	Staff recommends DENIAL, if approved subject to conditions:	24-0256-VAR1
24-0256-SDR1	Staff recommends DENIAL, if approved subject to conditions:	24-0256-VAR1 24-0256-SUP1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 466

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0256-VAR1 CONDITIONS

Planning

1. A Variance is hereby approved to allow for four additional parking stall where 16 are required.
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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0256-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Automobile Rental use.
2. Approval of and conformance to the Conditions of Approval for Variance (24-0256-VAR1) 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.

Conditions Page Two
June 18, 2024 - Planning Commission Meeting

Planning (continued)

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.

24-0256-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0256-SUP1) and Variance (24-0256-VAR1) 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 development shall be in conformance with the site plan date stamped 05/22/24 except as amended by conditions herein.
4. An Exception from Title 19.08 is hereby approved, to allow zero parking lot landscaping trees where four are required.
5. An Exception from Title 19.08 is hereby approved, to allow parking to directly abut a building where such is not allowed.
6. 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.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

Conditions Page Three
June 18, 2024 - Planning Commission Meeting

Planning (continued)

8. 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.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Fire & Rescue

10. Applicant shall submit a fire protection report to Fire Engineering for the repair and storage of fueled vehicles within a building per the International Fire Code and the International Building Code. This report shall be approved prior to building permit issuance or occupancy. Verify that required fire flow is available to the site.
11. 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
June 18, 2024 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Variance, Site Development Plan Review, and Special Use Permit to reconfigure the parking lot and change the land use to Automobile Rental use at 3050 Sirius Avenue, Suite #102.

ISSUES

- Automobile rental is a conditionally allowed use in the M (Industrial) zoning district.
- A Special Use Permit is required due to the proposed use not meeting Conditional Use Regulation #1, which states, “the minimum site area designated for rental services shall be 25,000 square feet.” The subject tenant space has 15,000 square feet of floor area dedicated to Automobile Rental use.
- A Variance is requested to allow for four additional parking stall where 16 are required. Staff does not support this request.
- An Exception from Title 19.08 is requested to allow zero parking lot landscaping trees where four are required. Staff does not support this request.
- An Exception from Title 19.08 is requested to allow parking to directly abut a building where such is not allowed. Staff does not support this request.

ANALYSIS

The applicant is requesting to rent, prepare, and receive rented campervans and similar vehicles at 3050 Sirius Avenue, Suite #102. The subject site has frontage along Sirius Avenue, and is zoned M (Industrial). This project is within the Charleston 2050 Master Plan Area and is subject to Title 19 development standards. Automobile rental is a conditionally allowed use in the M (Industrial) zoning district.

A Special Use Permit is required due to the proposed use not meeting Conditional Use Regulation #1, which states, “the minimum site area designated for rental services shall be 25,000 square feet.” The subject tenant space has 15,000 square feet, 10,000 square feet indoor and 5,000 square feet in the fenced front yard, designated for rental services.

Staff Report Page Two
June 18, 2024 - Planning Commission Meeting

The Automobile Rental use is defined as “a facility for the rental of new or used automobiles or other passenger vehicles. For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental purposes are not considered to be outside storage.” The proposed use meets the definition; as stated in the justification letter, “this site will be used for pick-up or drop-off of rental vehicles and an office. The premises will be used to store campervans and other similar rental vehicles in addition to those vehicles in the warehouse being prepared for rental. The campervans are typically Ford Transit or Chevrolet Express vehicles and fit into a standard car parking space, not large RV/Motorhomes”. The Minimum Conditional Use Permit Regulations for this use include:

1. The minimum site area designated for rental services shall be 25,000 square feet.

The proposed use does not meet this requirement as it will only occupy a 15,000 square-foot space within the property. The applicant has requested a Special Use Permit to allow a 15,000 square-foot site area designated to the use.

2. The installation and use of an outside public address or bell system is prohibited.

The applicant has indicated that no public address or bell system will be use with the proposed use.

3. No used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.

The applicant has indicated that no used or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.

4. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.

The proposed use meets this requirement as no changes to the exterior lighting are proposed for this site.

The surrounding land uses on three sides are commercial and industrial uses and zoned M (Industrial). To the south, a Commercial Recreation Amusement (Indoor and Outdoor) facility with Nightclub uses [Area 15] business is zoned C-2 (General Commercial). Although the industrial uses and zoning predated the entertainment and nightclub business south of the subject site, the outdoor entertainment use is not harmonious with the vehicle preparation, storage, and repairing typical of the Automobile Rental use. The proposed use could not be conducted in a manner that is harmonious with the existing surrounding land uses because of the Commercial Recreation Amusement (Indoor and Outdoor) facility with Nightclub uses south of the subject site.

Staff Report Page Three
June 18, 2024 - Planning Commission Meeting

A Variance is required for the proposed parking lot reconfiguration and change of use. The subject site is a parking-impaired development in accordance with Title 19.18. As such, for a change of use that requires an increase in the number of required parking spaces, only the increased number of parking spaces shall be required. The parking lot area for this tenant space previously had been approved for a Contractor's Office license with three parking stalls where 34 parking stall were required. The requested change of use increases the required onsite parking to 50 stall, an increase of 16 additional stalls. As depicted on the Site Plan, the onsite parking has been increased to seven stalls. A Variance has been requested to provide four additional parking stalls where 16 additional stalls are required. This represents a 75-percent reduction of the required additional parking. Staff is not able to support the requested request because it does not meet the minimum Title 19.12 parking requirement.

The parking calculation provided in the justification letter only takes the office and administrative spaces into account, but under Title 19.12 the required minimum onsite parking is calculated based on gross indoor floor area. In this case the gross floor area includes the storage and preparation areas for a total 10,000 square-foot gross floor area.

Additional Exceptions are requested as a result of the parking lot layout reconfiguration. Under Title 19.08, no parking lot shall directly abut any building. A minimum five-foot wide landscape buffer or minimum five-foot wide sidewalk should be used to buffer buildings from parking spaces. A combination of landscape buffer and sidewalk may be used to achieve the minimum five-foot buffer, provided that any sidewalk so used may not have a width of less than three feet. An Exception to the adjacency to buildings requirement and to minimum parking lot landscaping is requested, and may be granted in connection with the approval of a Site Development Plan Review as set forth in 19.08.110(C).12(f).

In consideration of the requested Site Development Plan Review, Special Use Permit Variance, and Exceptions, staff found the site to not be physically suitable for the proposed land use application. Further, the proposed use could not be conducted in a manner that is harmonious with the existing land use south of the subject site. Therefore, staff recommends denial of the requested Variance, Special Use Permit, and Site Development Plan Review.

FINDINGS (24-0256-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."

Staff Report Page Four
June 18, 2024 - Planning Commission Meeting

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 providing less parking than the minimum required. The provision of additional customer parking equal to the increased number of parking spaces required by the change of use 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 (24-0256-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 surrounding land uses on three sides are commercial and industrial uses and on M (Industrial) zoned properties. To the south, a Commercial Recreation Amusement (Indoor and Outdoor) facility with Nightclub uses [Area 15] use is zoned C-2 (General Commercial). The proposed use could not be conducted in a manner that is harmonious with the existing land use south of the subject site.

Staff Report Page Five
June 18, 2024 - Planning Commission Meeting

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

The subject site and tenant space are too small to accommodate a traditional model of the Automobile Rental use. A minimum 25,000 square-foot area dedicated to the Automobile Rental use is required as a Conditional Land Use Regulation. Further evidence that the site is not physically suitable is that the minimum required parking and parking lot landscaping could not be accommodated in within the tenant space parking lot.

- 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.**

Sirius Avenue, a 60-foot wide Local Street, is capable of supporting the proposed development. Sirius Avenue is subject to Title 13 requirements.

- 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.**

Approval of this proposed Special Use Permit will not compromise the public health, safety, and general welfare of the public, as the use will be subject to regular inspections and licensing restrictions.

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

The proposed use does not meet Conditional Use Requirement one listed in Title 19.12; which requires a minimum area of 25,000 square feet dedicated to the proposed use. The applicant has requested a Special Use Permit to allow a 15,000 square feet dedicated to the use where the minimum required is 25,000 square feet.

FINDINGS (24-0256-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:

Staff Report Page Six
June 18, 2024 - Planning Commission Meeting

1. **The proposed development is compatible with adjacent development and development in the area;**

The surrounding land uses on three sides are commercial and industrial uses on M (Industrial) zoned properties. To the south, a Commercial Recreation Amusement (Indoor and Outdoor) facility with Nightclub uses [Area 15] use is zoned C-2 (General Commercial). The proposed use could not be conducted in a manner that is harmonious with the existing land use south of the subject site.

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

A Variance has been requested to provide four additional parking stalls where 16 additional stalls are required. This represents a 75-percent reduction of the required additional parking. An Exception from Title 19.08 is requested to allow zero parking lot landscaping trees where four are required. An Exception from Title 19.08 is requested to allow parking to directly abut a building where such is not allowed. Staff is not able to support the requested Variance or Exceptions.

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

Sirius Avenue, a 60-foot wide Local Street, is capable of supporting the proposed development. Site access and the existing driveway are not being changed as a part of this application.

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

The building materials are not proposed to be changed as a part of this application. There are no additional landscape materials proposed as a part of this application, however the reconfiguration of the parking lot has resulted in an Exception to provide zero parking lot landscaping trees where four are required.

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 building elevations are not changed, are not undesirable or obnoxious in appearance, and are harmonious and comparable with development in the area. The area surrounding this site is industrial in character.

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

Approval of this proposed Site Development Plan Review will not compromise the public health, safety, and general welfare of the public, as the use will be subject to regular inspections and licensing restrictions.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
04/30/24	The Department of Community Development administratively denied the Conditional Use Verification (# 101514-CUV) for Recreational Vehicle and Boat Storage at 3050 Sirius Avenue, Suite #102.

<i>Most Recent Change of Ownership</i>	
06/27/19	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c. 1963	The buildings, addressed 3050, 3070, 3100, and 3120 Sirius Avenue, were constructed on the subject site.
09/22/17	A contractor's office business license (G65-07052) was approved at 3050 Sirius Avenue, Suite #102. This license went out of business on 11/01/20.
10/04/19	A consulting business license (G67-07248) was approved at 3050 Sirius Avenue, Suite #102. This license went out of business on 11/01/21.
02/28/22	A building permit (PRC22-00015) to permit a previously built demising wall between suites #102 and #103 was issued. This permit was finalized 02/28/22.
04/05/24	A business license for a car rental agency (G72-02193) was processed in on 04/05/24 and is pending the requested Special Use Permit approval.

<i>Pre-Application Meeting</i>
A pre-application meeting was not required, nor was one held.

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

Staff Report Page Eight
June 18, 2024 - Planning Commission Meeting

Field Check	
05/09/24	During a routine site visit staff observed a well maintained industrial building with perimeter fencing and gating.

Details of Application Request	
Site Area	
Gross Acres	9.52

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Warehouse; Auto Repair Garage, Major	LI/R (Light Industrial/Research)	M (Industrial)
North	Auto Repair Garage, Minor	LI/R (Light Industrial/Research)	M (Industrial)
South	Commercial Recreation Amusement (Indoor and Outdoor) facility with Nightclub uses [Area 15]	TOD-2 (Transit-Oriented Development - Low)	C-2 (General Commercial)
East	Undeveloped	TOD-2 (Transit-Oriented Development - Low)	M (Industrial)
West	Warehouse; Auto Repair Garage, Minor	LI/R (Light Industrial/Research)	M (Industrial)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Charleston	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District (175 Feet)	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	422,000 SF	Y
Min. Lot Width	100 Feet	650 Feet	Y
Min. Setbacks			
• Front	10 Feet	40 Feet	Y
• Corner	10 Feet	30 Feet	Y
Max. Building Height	N/A	1 story	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, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• South	1 Tree / 30 Linear Feet	4 Trees	0 Trees	N*
TOTAL PERIMETER TREES		4 Trees	0 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	4 Trees	0 Trees	N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• South	15 Feet		0 Feet	Y*
Wall Height	6 to 8 Feet Adjacent to Residential		No adjacent Residential	Y

* The existing condition is a zero-foot landscape buffer along Sirius Avenue with zero landscape buffer trees where four are required along the length street frontage of the subject tenant space.

** An Exception is requested to provide zero parking lot landscaping trees where four are required.

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Sirius Avenue	Local Street	Title 13	60	Y

Staff Report Page Ten
June 18, 2024 - Planning Commission Meeting

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Automobile Rental	10,000 SF	1:200 SF	50				
Office, Other than Listed [Previous]	10,000 SF	1:300 SF	-34		3		
SUBTOTAL SPACES REQUIRED			50		7	N*	
Parking Impairment [Office, Other than Listed]			-34		-3	N*	
TOTAL ADDITIONAL SPACES REQUIRED			16		4		N**
Regular and Handicap Spaces Required			15	1			N**
Percent Deviation			75%				

* The subject site is a parking-impaired development in accordance with Title 19.18. As such, for a change of use that requires an increase in the number of required parking spaces, only the increased number of parking spaces shall be required.

** A Variance has been requested to provide four additional parking stalls where 16 additional stalls are required.

Exceptions		
Requirement	Request	Staff Recommendation
Surface parking lots shall provide a minimum of one, 15-gallon sized shade tree for every six parking spaces with four, one-gallon sized shrubs per tree in landscaped islands and/or on the perimeter of the lot.	An Exception from Title 19.08 to allow zero parking lot landscaping trees where four are required.	Denial

<i>Exceptions (continued)</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
No parking lot shall directly abut any building. A minimum five-foot wide landscape buffer or minimum five-foot wide sidewalk should be used to buffer buildings from parking spaces. A combination of landscape buffer and sidewalk may be used to achieve the minimum five-foot buffer, provided that any sidewalk so used may not have a width of less than three feet.	An Exception from Title 19.08 to allow parking to directly abut a building where such is not allowed	Denial