



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: JANUARY 14, 2025

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: MY DEVELOPMENT CORPORATION - OWNER: KATANA HOLDINGS, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0554-VAR1	Staff recommends DENIAL, if approved subject to conditions:	
24-0554-SUP1	Staff recommends DENIAL, if approved subject to conditions:	24-0554-VAR1
24-0554-SDR1	Staff recommends DENIAL, if approved subject to conditions:	24-0554-VAR1 24-0554-SUP1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

NOTICES MAILED 315

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

24-0554-VAR1 CONDITIONS

Planning

1. A Variance is hereby approved to allow 44 parking spaces where 79 spaces are required.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0554-SUP1) and Site Development Plan Review (24-0554-SDR1) 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. 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.

24-0554-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Motor Vehicle Parts Sales, Installation and Repair use.
2. Approval of and conformance to the Conditions of Approval for Variance (24-0554-VAR1) and Site Development Plan Review (24-0554-SDR1) 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.

24-0554-SDR1 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Variance (24-0554-VAR1) and Special Use Permit (24-0554-SUP1) 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 11/21/24, landscape plan and building elevations, date stamped 10/17/24, except as amended by conditions herein.
4. A Waiver from Title 19.08.040 is hereby approved, to allow bay doors to face the right-of-way where such is not allowed.
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.

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7. 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.
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.

Public Works

10. 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. Construct sidewalk on the east side of Richfield Boulevard to create a continuous sidewalk path for the Richfield Boulevard frontage.
11. 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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12. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting 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 to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
13. 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.
14. No storage of customer vehicles shall take place in the public right-of-way.

Fire & Rescue

15. 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 project request to convert an existing commercial building into a Minor Auto Repair Garage on 0.29 acres located at the southeast corner of Sahara Avenue and Richfield Boulevard.

ISSUES

- The subject building was constructed in 1970 per Clark County Assessor records.
- The Motor Vehicle Parts Sales, Installation and Repair (Motor Vehicle Repair, Minor) use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff does not support the request.
- A Variance is requested to allow 44 parking spaces where 79 spaces are required. Staff does not support the request.
- Parking is shared with the parcel adjacent to east as documented on the recorded parcel map. [APN: 162-08-501-002]
- A Waiver is requested to allow bay doors to face the right-of-way where such is not allowed. Staff does not support the request.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial) and developed with an existing commercial building and billboard sign. Development is subject to Title 19 development standards. The applicant proposes to remodel the existing building onsite and convert it to a minor auto repair garage. The surrounding land uses include a restaurant, a single-family dwelling and an Alcohol, On-Premise Full use (Dotty's).

Per Title 19, the Motor Vehicle Parts Sales, Installation and Repair use is defined as, "A facility that offers one or more of the following services:

1. Motor Vehicle Parts Sales and Installation: A facility for the retail sale and installation of minor motor vehicle parts and accessories such as stereos, alarms, batteries, windshield wipers, hoses, fuses, lights, radios and similar minor elements, and other types of accessories, but excludes engine, transmission and differential service, tire and repair services as noted in Paragraphs 2 and 3 below.

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2. Motor Vehicle Repair, Minor: A facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and services are limited to electronic tune-ups, brake repairs (including drum turning), air conditioning repairs, generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication, vehicle emissions testing and other similar activities. This classification may also include the retail sales and installation of motor vehicle parts and accessories as referred to in Paragraph 1 above.
3. Motor Vehicle Repair, Major: A facility for the repair or reconditioning of any type of motorized vehicle where any type of repair or reconditioning performed does not qualify under Paragraph 1 or 2 above. This classification includes a facility that provides collision services, including body, frame, or fender straightening, repair and painting of vehicles in an appropriate paint booth, and a facility that performs any repairs to vehicles with a gross vehicle weight over 10,000 pounds. This classification may also include the services referred to in Paragraphs 1 and 2 above.”

The applicant adheres to this definition as they propose to operate a Motor Vehicle Repair, Minor use within the existing building onsite. Per the submitted justification letter, the services offered will include windshield replacement and repair, tune-ups, battery charging/replacement, front-end alignments and brake repair.

Minimum Special Use Permit Requirements:

*1. In the C-1 District, the use shall be limited to Motor Vehicle Parts Sales and Installation, or Motor Vehicle Repair, Minor.

This requirement is met, as the applicant has requested a Special Use Permit to operate a Motor Vehicle Repair, Minor use at the subject site.

*2. Where outdoor storage is permitted, all disabled vehicles shall be stored on a concrete or asphalt surface.

This requirement is met, as no outdoor storage is proposed.

*3. In the C-M and M Districts, installation, repair and service work may be performed outside of an enclosed building if approved as part of the Special Use Permit.

This requirement is met, as no outdoor service work is proposed.

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*4. All hazardous materials resulting from the repair, storage, or dismantling of vehicles shall be properly stored and removed from the premises in a timely manner. Storage, use and removal of toxic substances, solid waste pollution and flammable liquids, particularly gasoline, paints, solvents and thinners, shall conform to all applicable Federal, State, and local regulations.

This requirement will be met as a condition of approval.

5. Test drive routes are prohibited on residential streets with a width of less than eighty feet, unless approved in connection with the Special Use Permit.

This requirement is met, as test drive routes are not proposed any residential streets with a width less than eighty feet.

The submitted plans depict the proposed conversion of an existing 3,503 square-foot building. The interior of the building will be demoed and converted to four garage work stations. No additions or increase of building height is proposed. The building façade will be upgraded to a stucco façade in neutral tones. Four bay doors are proposed to face Sahara Avenue. Pursuant to Title 19.08.040, bay doors shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties. As such, the applicant requests a Waiver to allow the bay doors to face the right-of-way. Staff does not support the request. The applicant proposes to keep a trash receptacle on the west side of the property, behind a gate as currently utilized. The existing landscape buffer along Sahara Avenue currently has no planting materials. The applicant proposes to plant new plant materials in this buffer area in accordance with the recommendations of the Southern Nevada Regional Plant List.

Existing parking spaces in front of the building are proposed to be removed in order to accommodate entrances to the four garage stations. Parking is shared with the parcel adjacent to east as documented on the recorded parcel map. [APN: 162-08-501-002] The adjacent parcel is utilized as an Alcohol, On-Premise Full use (Dotty's). The on-site parking requirement for the Motor Vehicle Parts Sales, Installation and Repair use is five spaces, plus one space for each 200 square feet of gross floor area. Parking spaces required to meet this standard shall not be used for other purposes, including vehicle storage or display. Vehicles that are parked on the site for storage, or similar purposes may not be parked in spaces that are designated to meet the minimum on-site parking requirement. The applicant requests a Variance to allow 44 parking spaces where 79 are required over the two parcels combined. Staff finds the request to be a self-imposed hardship and thereby recommends denial.

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The Department of Public Works - Traffic Engineering Division has commented, "This project is expected to reduce 133 trips per day on Sahara Avenue and Richfield Boulevard. Currently, Sahara Avenue is at about 59 percent of capacity and Richfield Boulevard is at about 18 percent of capacity. With this project, Sahara Avenue and Richfield Boulevard are expected to remain unchanged. Based on Peak Hour use, this development will reduce into the area roughly 16 peak hour trips, or about one every four minutes."

Staff finds the proposed development will not be compatible with the existing development in the surrounding area. This is evident by the Variance request to allow a reduction in required parking. Therefore, staff recommends denial of all entitlement requests. If approved, they will be subject to conditions.

FINDINGS (24-0554-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 proposing to not adhere to Title 19 minimum parking 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.

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FINDINGS (24-0554-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 Auto Repair Garage, Minor use cannot be conducted in a manner that is harmonious and compatible with the surrounding land uses as evident by the requested Variance and Waiver of development standards.

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

The proposed use is not physically suitable for the subject site as evident by the requested Variance and Waiver of development standards.

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 can be accessed from Richfield Boulevard, a 60-foot Local Street, 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.**

If approved, the proposed use will be subject to licensing and building permit requirements, thereby protecting the public health, safety and welfare.

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

The proposed use adheres to all minimum requirements listed for the Motor Vehicle Parts Sales, Installation and Repair use.

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FINDINGS (24-0554-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 not compatible with the surrounding land uses as evident by the requested Variance and Waiver of development standards.

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

A Variance and Waiver is requested of Title 19 development standards regarding parking and bay doors facing the right-of-way.

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

The subject site can be accessed from Richfield Boulevard, a 60-foot Local Street. The surrounding area could be negatively impacted due to the lack of onsite parking proposed.

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

The proposed stucco building façade is appropriate for this area. The proposed landscape materials adhere to the recommendations of the Southern Nevada Regional Plant List.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed building elevation designs are not unsightly or obnoxious in appearance. However, the proposal does not create an aesthetically pleasing environment as a Waiver is requested to allow bay doors to face the right-of-way.

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

If approved, the proposed development will be subject to licensing and building permit requirements, thereby protecting the public health, safety and welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
1018/69	The Board of City Commissioners approved a request for a Rezoning (Z-0023-67) from R-1 (Single Family Residential) to C-1 (Limited Commercial) on property generally located on the southeast corner of Richfield Boulevard and Sahara Avenue. The Planning Commission recommended approval.
08/15/90	The City Council approved a request for a Special Use Permit (U-0107-90) for a 14-foot by 48-foot Off-Premise Sign to a height of 45 feet (a 55-foot tall sign was requested) at the southeast corner of Sahara Avenue and Richfield Boulevard. The Board of Zoning Adjustment recommended denial.
10/03/95	The City Council approved a request for a Required Review [U-0107-90 (1)] of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at the southeast corner of Sahara Avenue and Richfield Boulevard. The Board of Zoning Adjustment recommended denial.
12/06/00	The City Council approved a request for a Required Review [U-0107-90(2)] of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at 2921 West Sahara Avenue. The Planning Commission recommended approval.
02/06/02	The City Council approved a request for a Required Review [U-0107-90(3)] of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at 2921 West Sahara Avenue. The Planning Commission recommended denial.
04/16/03	The City Council approved a request for a Required Review (RQR-1701) of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at 2921 West Sahara Avenue. The Planning Commission recommended denial.
05/19/04	The City Council approved a request for a Required Review (RQR-4021) of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at 2921 West Sahara Avenue. The Planning Commission recommended denial.
04/15/09	The City Council approved a request for a Required Review (RQR-33272) of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at 2921 West Sahara Avenue. The Planning Commission recommended approval.
08/15/12	The City Council approved a request for a Required Review (RQR-45465) of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at 2921 West Sahara Avenue. Staff recommended approval.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
08/19/15	The City Council approved a request for a Required Review (RQR-57988) of a previously approved Special Use Permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign at 2921 West Sahara Avenue. Staff recommended approval.
12/05/17	The Department of Planning administratively approved a request for a Minor Site Development Plan Review (SDR-72239) for a 72 square-foot embellishment on an existing Off-Premise Sign located at 2921 West Sahara Avenue.
04/21/21	The City Council approved Required Review (21-0111-RQR1) of special use permit (U-0107-90) for a 45-foot tall, 14-foot by 48-foot Off-Premise Sign (Not Qualifying As A City Communication Sign) [Billboard] on 0.29 acres at 2921 West Sahara Avenue.

<i>Most Recent Change of Ownership</i>	
09/07/18	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/01/51	Business License #L16-00072 was issued for a Full Alcohol On-Premise use at 2839 West Sahara Avenue. The license is listed as active.
c. 1970	The subject building was constructed per Clark County Assessor Records.
10/23/89	Business License #M22-00007 was issued for a martial arts studio at 2929 West Sahara Avenue. The license is listed as inactive as of 05/08/24.
08/23/90	A building permit (#90080031) was issued for the installation of a billboard at 2921 West Sahara Avenue. The permit was finalized on 02/06/91.
01/28/91	A building permit (#91095547) was issued for electric service for a billboard at 2921 West Sahara Avenue. The permit was finalized on 02/06/91.
02/01/18	Business License #G65-09172 was issued for a barbershop use at 2923 West Sahara Avenue. The license is listed as active.

<i>Pre-Application Meeting</i>	
10/15/24	Staff conducted a pre-application meeting with the applicant where the submittal requirements and deadlines were reviewed for a proposed Minor Auto Repair development.

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Neighborhood Meeting

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

Field Check

12/05/24

Staff conducted a routine field check and found an existing commercial building. Trash and an unhoused person was observed.

Details of Application Request**Site Area**

Net Acres

0.29

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	General Personal Service	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
	Off-Premise Sign		
North	Financial Institution, General	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
South	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
East	Alcohol, On-Premise Full	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
West	Restaurant	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Richfield Boulevard	Local Street	Title 13	60	Y

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Parts Sales, Installation and Repair	3,503 SF	5, plus 1:200 SF of GFA	23				

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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	
Alcohol, On-Premise Full	2,400 SF (public)	1:50 SF of public seating, plus	48				
	1,600 SF (BOH)	1:200 SF remaining GFA.	8				
TOTAL SPACES REQUIRED			79		44		N*
Regular and Handicap Spaces Required			75	4	41	3	N*
Percent Deviation			45%				

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

Waivers		
Requirement	Request	Staff Recommendation
Bay doors shall not face the right-of-way	To allow bay doors to face the right-of-way	Denial