



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: APRIL 17, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LUIS FLORES - OWNER: LUKE AND LINDA
CHOI FAMILY TRUST

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0026-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 294 (by City Clerk)

PROTESTS 1 - 24-0026-SUP1

APPROVALS 1 - 24-0026-SUP1

**** CONDITIONS ****

24-0026-SUP1 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Rezoning (ZON-9961) shall be required, except as amended herein.
2. All repair and service work shall be performed within a completely enclosed building.
3. No overnight storage of vehicles is allowed unless stored within a completely enclosed building.
4. No outdoor display or storage of vehicles parts or tires unless displayed or stored within a completely enclosed building.
5. 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.
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, as well as submitted as part of any business license application.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

9. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Special Use Permit request for a proposed Auto Repair Garage, Minor use located at 2301 North Decatur Boulevard, Suite #150.

ISSUES

- An Auto Repair Garage, Minor use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff supports this request.

ANALYSIS

The subject site is located in the C-1 (Limited Commercial) zone and subject to Title 19 development standards. There is one commercial building within the subject site that contains three suites. There is a Pet Boarding use located in the adjacent suite, and a vacant suite in the remaining suite. Properties to the south and north are also zoned C-1 (Limited Commercial) and developed with general commercial uses. Properties to the east and west are developed with detached single-family dwellings that include R-CL (Single Family Compact-Lot) zoned lots located within City limits, and RN (Ranch Estates Residential) zoned lots that are located within Clark County limits. Per the submitted justification letter, the applicant proposes an Auto Repair Garage, Minor use that will bring services that include tire repairs, installation of minor vehicle parts, alignments, and similar activities on vehicles of 10,000 pounds gross vehicle weight or less.

Per Title 19, the Auto Repair Garage, Minor use is defined as, “a facility for the performance of minor repairs and service on vehicles of 10,000 pounds gross vehicle weight or less. Such repairs and service 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, selling/installing minor parts and accessories, and other similar activities. This use also includes the repair and installation of other minor elements of an automobile such as windshield wipers, hoses, windows, etc., but excludes general engine repairs, engine installation, and the repair and installation of transmissions and differentials.” The proposed use meets the definition, as the Auto Repair Garage, Minor use would provide said services.

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On 01/15/23, the Department of Community Development administratively approved a Minor Site Development Plan Review (22-0685-SDR1) to allow a parking lot reconfiguration and an outdoor fenced dog yard addition that reduced the existing amount of parking spaces to 24 parking spaces at 2301 North Decatur Boulevard. A building permit application (#C23-00356) was processed to remove four parking spaces, reconfigure the parking lot and build a fence for a Pet Boarding use where the four parking spaces were located. However, a building permit has not been issued as of 02/14/24 and the Site Development Plan Review has not been exercised.

There are no minimum Special Use Permit requirements listed for the Auto Repair Garage, Minor use. It is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff supports the request as the proposed minor auto repair garage can be operated in a manner that is compatible with the existing neighboring commercial uses to the south and north, as well as the existing neighboring residential uses located to the west and east of the subject site. The subject site is screened from adjacent properties by an existing solid screen wall and an established landscape buffer. In addition, the service bay doors are oriented to the north are not visible from the public right-of-way as required by Title 19. Conditions of Approval have been added to prevent automotive work from being performed outside an enclosed building and to prevent the outdoor storage of vehicles and vehicle parts, as this is not allowed in the C-1 (Limited Commercial) zoning district. Therefore, staff recommends approval of the Special Use Permit request.

FINDINGS (24-0026-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 can be conducted in a manner that is harmonious and compatible with the surrounding land uses, as there is commercial located to the north and south and the commercial subject site is intended to provide an array of uses.

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

The proposed use is physically suitable for the subject site, as there is sufficient parking.

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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 can be accessed from Decatur Boulevard and Reiter Avenue, which are 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.**

There are no minimum Special Use Permit requirements listed for the Auto Repair Garage, Minor use.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
01/18/06	The City Council approved a Rezoning request (ZON-9961) to allow a Reclassification of property from R-E (Residence Estates) to C-1 (Limited Commercial) on 0.56 acres at 2300 North Decatur Boulevard. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Site Development Plan Review request (SDR-10092) to allow a 5,999 square-foot retail building with waivers on 0.56 acres at 2300 North Decatur Boulevard. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Variance request (VAR-10093) to allow a residential setback of 42 feet where 57 feet is the minimum required on 0.56 acres at 2300 North Decatur Boulevard. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Variance request (VAR-10095) to allow 28 spaces where 35 were required on 0.56 acres at 2300 North Decatur Boulevard. The Planning Commission recommended approval and staff recommended denial.

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<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc., continued</i>	
01/15/23	Staff administratively approved a Minor Site Development Plan Review (22-0685-SDR1) to allow a parking lot reconfiguration and an outdoor fenced dog yard addition that reduced the existing amount of parking spaces to 24 parking spaces at 2301 North Decatur Boulevard.
02/28/23	A Code Enforcement case (CE23-01190) was processed for an encampment at 2301 North Decatur Boulevard. The case was marked resolved on 03/23/23.
10/04/23	A Code Enforcement case (CE23-06988) was processed for graffiti on the building located at 2301 North Decatur Boulevard. The case was marked resolved on 10/16/23.
3/12/24	The Planning Commission voted (6-0-1) on a Land Use Entitlement project request FOR A PROPOSED AUTO REPAIR GARAGE, MINOR USE at 2301 North Decatur Boulevard, Suite #150 (APN 138-24-511-036), C-1 (Limited Commercial) Zone, Ward 5 (Crear).

<i>Most Recent Change of Ownership</i>	
02/05/22	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/12/20	A building permit (#C20-03425) was issued for a tenant improvement located at 2301 North Decatur Boulevard.
08/04/21	A building permit (#C21-01561) was issued for a tenant improvement located at 2301 North Decatur Boulevard.
01/20/22	A business license (#G69-07139) was issued for a Pet Boarding use at 2301 North Decatur Boulevard, Suite #130. The license is inactive as of 07/25/22.
02/01/23	A building permit (#C23-00356) was processed to remove four parking spaces, reconfigure the parking lot and build a fence where the four parking spaces were located. A building permit has not been issued as of 02/14/24.

<i>Pre-Application Meeting</i>	
01/10/24	A pre-application meeting was held to discuss submittal requirements for a Special Use Permit application for an Auto Repair Garage, Minor use.

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Neighborhood Meeting

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

Field Check

01/30/23

A routine field check was conducted by staff in which the subject building was observed. No issues were noted.

Details of Application Request
Site Area

Net Acres 0.56

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Vacant	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
North	Office, Other Than Listed	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
South	General Retail Store, Other Than Listed	TOC-2 (Transit Oriented Corridor - Low)	C-1 (Limited Commercial)
East	Single Family Residential, Detached	ML (Medium - Low - up to 8.49 du/ac)	R-CL (Single Family Compact Lot)
West	Residential, Single Family, Detached	RN (Rural Neighborhood) [Clark County]	RN (Ranch Estates Residential) [Clark County]

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Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Twin Lakes	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
A-O (Airport Overlay) District (70 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)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Decatur Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	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	
Auto Repair Garage, Minor	1,250 SF	5 spaces + 1 space per 200 SF	11				
Pet Boarding	2,400 SF	1 per 250 SF	10				
TOTAL SPACES REQUIRED			21		27		Y
Regular and Handicap Spaces Required			20	1	25	2	Y