

*City of Las Vegas*

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: NOVEMBER 18, 2020

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: CARPI ENTERPRISES, LLC

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>20-0154-VAR1</b>	Staff recommends DENIAL, if approved subject to conditions:	
<b>20-0154-SDR1</b>	Staff recommends DENIAL, if approved subject to conditions:	20-0154-VAR1

**\*\* NOTIFICATION \*\***

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 23

**NOTICES MAILED** 247 (By City Clerk)

**PROTESTS** 3

**APPROVALS** 0

**\*\* CONDITIONS \*\***

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## **20-0154-VAR1 CONDITIONS**

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**Planning**

1. A Variance is hereby approved to allow a zero-foot rear yard setback where 20 feet is required.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (20-0154-SDR1) shall be required, if approved.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. 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 Department of Building and Safety.
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.

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## **20-0154-SDR1 CONDITIONS**

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**Planning**

1. Approval of and conformance to the Conditions of Approval for Variance (20-0154-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.

**Conditions Page Two**  
**November 18, 2020 – City Council Meeting**

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/23/20, except as amended by conditions herein.
4. A Waiver from Title 19.08 is hereby approved, to allow a 10-foot wide landscape buffer along a portion of the northern property line where 15 feet is required.
5. A Waiver from Title 19.08 is hereby approved, to allow a five-foot-wide landscape buffer along a portion of the eastern property line where eight feet is required.
6. A Waiver from Title 19.08 is hereby approved, to allow requested to allow a zero-foot wide landscape buffer adjacent to the south property line due to the existing adjacent NV Energy power easement.
7. An Exception from Title 19.08 is hereby approved to allow 14 trees within the northern perimeter landscape buffer where 18 trees are required.
8. 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 Department of Building and Safety.
9. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
10. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
11. 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.
12. 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.

**Conditions Page Three**  
**November 18, 2020 – City Council Meeting**

13. A Comprehensive Construction Staging Plan shall be submitted to the Department of Planning for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
14. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Concurrent with development, dedicate appropriate right-of-way or grant appropriate roadway, sewer, and drainage easements for a bus turn out lane/deceleration lane acceptable to the City Traffic Engineer, meeting the intent of Clark County Standard Drawing #234.4 for a bus stop on Charleston Boulevard. No construction is required at this time. Additionally, grant an appropriate Bus Shelter Pad Easement to the Regional Transportation Commission (RTC). Prior to the issuance of any permits, grant a Traffic Signal Chord Easement at the southeast corner of Charleston Boulevard and Arville Street as well as a 5-foot Roadway Easement along Charleston Boulevard for future pedestrian improvements.
17. The sidewalks along Charleston Boulevard and Arville Street adjacent to this site shall meet Public Right-of-Way Accessibility Guidelines (PROWAG) in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, and replace with new improvements meeting current City Standards concurrent with development of this site, except as amended by conditions herein. Construct all incomplete half street improvements (sidewalk and paving) on Arville Street and the public alley adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

**Conditions Page Four**  
**November 18, 2020 – City Council Meeting**

18. 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.
19. Concurrent with development, coordinate construction of Charleston Boulevard with the Regional Transportation Commission's ITS improvement project.
20. Landscape and maintain all unimproved rights-of-way adjacent to this site. 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.
21. Prior to construction, coordinate with NV Energy on the possible relocation or elimination of the power pole guy wires located in the public alley to the south of this site. As this alley is being proposed for parking and delivery access for this site, the guy wires shall be removed from the alley prior to or concurrent with development of this site unless an acceptable alternative is proposed to and approved by the City Engineer.
22. Submit a License Agreement for landscaping and private improvements in the City of Las Vegas portion of the Charleston Boulevard and Arville Street public rights-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the License Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's License Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the License Agreement. Coordinate all requirements for the License Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).

**Conditions Page Five**  
**November 18, 2020 – City Council Meeting**

23. 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. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. 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.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The applicant is proposing to redevelop 2.69 acres adjacent to the southeast corner of Charleston Boulevard and Arville Street with a 31,500 square-foot shopping center.

**ISSUES**

- A Variance is requested to allow a zero-foot rear yard setback where 20 feet is required.
- A Waiver from Title 19.08 is requested to allow a 10-foot wide landscape buffer along a portion of the northern property line where 15 feet is required. Staff does not support this request.
- A Waiver from Title 19.08 is requested to allow a five-foot-wide landscape buffer along a portion of the eastern property line where eight feet is required. Staff does not support this request.
- A Waiver from Title 19.08 is requested to allow a zero-foot wide landscape buffer adjacent to the south property line due to the existing adjacent NV Energy power easement. Staff supports this request.
- An Exception from Title 19.08 is requested to allow 14 trees within the northern perimeter landscape buffer where 18 trees are required. Staff supports this request.
- The subject site is located within Redevelopment Plan Area 2.

**ANALYSIS**

The subject site is an existing and mostly abandoned shopping center located on the southwest corner of Charleston Boulevard and Arville Street. The 2.69-acre subject site is zoned C-1 (Limited Commercial). The applicant is proposing to demolish the existing structures and redevelop the site with a 31,500 square-foot commercial Shopping Center. The southern property line of the site is adjacent to an alley that also contains an NV Energy power easement with overhead power lines. The existence of overhead power lines within an NV Energy easement prohibits the planting of trees adjacent to the southern property line.

**Staff Report Page Two**  
**November 18, 2020 – City Council Meeting**

On January 17, 2018, the City Council approved a request for a Tentative Map (TMP-71647) allowing the applicant to create a one-lot commercial subdivision. Staff has added a recommended Condition of Approval for the applicant to meet with the City Surveyor to determine the most appropriate mapping action necessary, and to comply with the Conditions of Approval set forth by Tentative Map (TMP-71647). Tentative Map (TMP-71647) does not expire until January 17, 2022 (four years from the time of its approval). On 11/10/20, the Planning Commission is scheduled to review a request for a new Tentative Map (20-0211-TMP1) for a one-lot commercial subdivision at the subject site through a different commercial subdivision name and applied for by a different engineering firm. If this Tentative Map is approved, it will expunge and replace TMP-71647.

The Shopping Center use is defined as “Any structure or group of structures that:

1. House any assemblage of various commercial tenants, including without limitation, retail uses, personal service uses, food service uses, and other ancillary uses;
2. Have a minimum combined gross floor area of 25,000 square feet;
3. Are located upon a single parcel of land or upon contiguous parcels of land; and
4. Have common vehicular access and parking facilities.”

The proposed 31,500 square-foot shopping center meets Title 19.12’s 25,000 square-foot minimum requirement. In doing so, parking requirements for the subject site are one space for every 250 square feet of gross floor area, regardless of the future land uses. The submitted site plan date stamped on 09/23/20 separates the shopping center into three separate sections, Retail area, Pad A, and Pad B. At the time of submittal, there were no official named tenants for any part of the proposed development.

The largest component of the proposed shopping center is a 20,500 square-foot Retail Center. On the submitted floor plan date stamped on 09/23/20, the Retail building features nine commercial suites. These suites would feature a variety of commercial uses that are permitted in the C-1 (Limited Commercial) zone. The northernmost suite, Suite A, features a drive-through lane, which is a Conditional Use in the C-1 (Limited Commercial) zone.

Adjacent to the corner of Charleston Boulevard and Arville Street is Pad A. This 3,000 square-foot structure complies with Title 19.08, which requiring buildings on corner lots to be oriented to the corner. Both drive-throughs are designed to comply with the Conditional Use Regulations requiring a six car minimum stacking lane and adequate buffering provided by landscaping.

The final structure is a proposed 8,000 square-foot building adjacent to the retail center along the southern property line. While service bay doors are provided for this building and face the Charleston Boulevard public right-of-way, they are adequately screened by the Pad A building, the northern landscape buffer, and are located approximately 195 feet away from the right-of-way.



**Staff Report Page Three**  
**November 18, 2020 – City Council Meeting**

When a proposed site is located on a corner lot and contains two street frontages, Title 19 defines the frontage regardless of the building orientation or addressing, as the one with the shortest street frontage. In this instance, that frontage is Arville Street. The main 20,500 square-foot Retail building is proposed to be constructed along the eastern rear property line. As such, a Variance is requested allowing a zero-foot rear yard setback where 20 feet is required in the C-1 (Limited Commercial) zone. The current configuration of the existing shopping center utilizes the same zero-foot rear yard setback and abuts against the neighboring commercial site. While the current shopping center uses the same rear yard setback as the proposed shopping center development, any new construction must meet the current development standards at the time of submittal. Staff does not support this request, as this is a self-imposed hardship and not the result of a site constraint.

This configuration takes into account the alley and NV Energy power easement as the planting of trees is prohibited adjacent to this easement. The applicant is requesting a Waiver to allow a zero-foot wide landscape buffer adjacent to this south property line. In doing so, direct vehicular access is provided behind the proposed structure from the adjacent alleyway. Most of the existing power poles in the alleyway will remain as is, with the exception of the power pole located on the south side of the alley, which is off the subject property. Additionally, the applicant intends to remove two bollards and guy-wire within the alleyway and replace a wooden pole with a metal pole. The applicant has proposed two loading zones in this alleyway allowing future tenants of the Retail building and Pad B to receive deliveries in the rear of the building and not disturb customer traffic in the front of the building.

The building elevations date stamped on 09/23/20 demonstrate a 42-foot tall single-story structure comprised of a variety of colors and materials. All sides of the proposed building are coherently designed and treated with a consistent level of detailing and finish in compliance with Title 19.08.

The entire site meets the parking requirements of a shopping center, accounting for one space for every 250 square feet of gross floor area. Of the 129 total parking spaces, 18 or 13.9 percent are compact spaces. As the site is located on a corner lot, there is one vehicular entrance off Charleston Boulevard and Arville Street. A commercial site exceeding 30,000 square feet requires three on-site loading spaces. As such, two loading spaces are located along the alleyway behind the Retail and Pad B buildings with a third loading space near the Pad A building. The subject site includes four trash enclosures spread throughout.

**Staff Report Page Four**  
**November 18, 2020 – City Council Meeting**

The proposed landscape plan includes Waivers and an Exception to allow a reduction in the perimeter landscape buffer requirements. A Waiver is requested to allow a 10-foot wide landscape buffer where 15 feet is required along a portion of the northern property line (Charleston Boulevard). At the drive through for the Retail building, a Waiver is requested to allow a five-foot-wide landscape buffer where eight feet is required along a portion of the eastern property line; the remaining portion of this landscape buffer is covered by the zero-foot rear yard setback Variance. Lastly, a Waiver is requested to allow a zero-foot landscape buffer adjacent to the southern property line due to the existing adjacent Nevada Energy power easement. Staff does not support the Waiver requests as these are also self-imposed hardships and not due to site constraints. Similarly, an Exception is requested to allow 14 trees within the northern perimeter landscape buffer where 18 trees are required. There are seven different types of 24-inch box tree species used throughout the subject site. All of which are included on the Southern Nevada Regional Planting Coalition list and appropriate for a desert climate.

The subject sites are located within Redevelopment Area 2 of the City of Las Vegas Redevelopment Plan. In general, the goals and objectives of the redevelopment program in Redevelopment Area 2 are as follows:

1. To eliminate and prevent the spread of blight and deterioration and the conservation, rehabilitation, and redevelopment of Redevelopment Area 2 in accordance with the Master Plan, the Redevelopment Plan, local codes, and ordinances.
2. To achieve an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan.
3. To minimize unplanned growth by guiding revitalization activities and new development in such fashion as to meet the needs of Redevelopment Area 2, the City and its citizens.
4. To retain existing businesses by means of redevelopment and rehabilitation activities and by encouraging cooperation and participation of owners, businesses, and public agencies in the revitalization of Redevelopment Area 2.
5. To encourage investment by the private sector in the development and redevelopment of Redevelopment Area 2 by eliminating impediments to such development and redevelopment.
6. To encourage maximum participation of residents, businesspersons, property owners, and community organizations in the redevelopment of Redevelopment Area 2.
7. To replan, redesign, and develop areas which are stagnant or improperly used.
8. To insure adequate utility capacity to accommodate redevelopment and new development.

**Staff Report Page Five**  
**November 18, 2020 – City Council Meeting**

Redevelopment of Redevelopment Area 2 pursuant to this Redevelopment Plan and the above goals and objectives will attain the purposes of the Nevada Revised Statutes Chapter 279 by:

1. Elimination of areas suffering from economic dislocation, and disuse in affected areas;
2. Replanning, redesign, and/or redevelopment of areas which are stagnant or improperly utilized, in ways which could not be accomplished solely by private enterprise without public participation and assistance;
3. Protection and promotion of sound development and redevelopment of blighted areas and the general welfare of the citizens of the City by remedying such injurious conditions through the employment of appropriate means;
4. Installation of new, or replacement of existing public improvements, facilities, and utilities in areas which are currently inadequately served with regard to such improvement, facilities and utilities; and
5. Other means as determined appropriate.

In a justification letter date stamped on 08/25/20, the proposed project will not be participating in the City of Las Vegas Green Building Program nor will the project be seeing LEED certification. Nevertheless, the proposed development will still utilize sustainable practices and measures. The proposed development will utilize recycled material content, energy-efficient HVAC equipment (SEER rated), LED lighting, low VOC content paint, and floor sealers. Additionally, the site will include bicycle racks and may include two to four electrical vehicle charging stations depending on the project budget.

The Department of Public Works has conducted a traffic study and concluded that the proposed development will add approximately 2,396 trips per day on Charleston Boulevard and Arville Street. Currently, Charleston Boulevard is at about 76 percent of capacity and Arville Street is at about 31 percent of capacity. With this project, Charleston Boulevard is expected to be at about 81 percent of capacity and Arville Street is expected to be at about 46 percent of capacity. Based on Peak Hour use, this development will add into the area roughly 230 additional peak hour trips, or about four every minute.

While the proposed redevelopment of the existing shopping center supports several of the goals set forth by the Redevelopment Area plan and provides a development utilizing sustainable practices and measures, staff finds that the requested Variance, Waivers, and Exception are self-imposed hardships. Additionally, while the current shopping center uses the same rear yard setback as the proposed development, any new construction must meet the current development standards at the time of submittal. Staff is therefore recommending denial on all requests.

**Staff Report Page Six**  
**November 18, 2020 – City Council Meeting**

**FINDINGS (20-0154-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 not meeting the minimum setback requirements set forth by Title 19.08 for the C-1 (Limited Commercial) zoning district. An alternative site design 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 (20-0154-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 shopping center is compatible with surrounding commercial development.

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

**Staff Report Page Seven**  
**November 18, 2020 – City Council Meeting**

The applicant is requesting a Variance, Waivers, and Exception in order to create a development that is compatible with the C-1 (Limited Commercial) development standards and the majority of the Title 19 requirements.

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

Site access is provided by Charleston Boulevard, a 100-foot primary arterial and Arville Street, a 57-foot collector street; each of which is adequate in size to meet the requirements of the proposed use.

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

The building elevations date stamped on 09/23/20 demonstrate a 42-foot tall single-story structure comprised of a variety of colors and materials. All sides of the proposed building are coherently designed and treated with a consistent level of detailing and finish in compliance with Title 19.08.

There are seven different types of 24-inch box tree species used throughout the subject site. All of which are included on the Southern Nevada Regional Planting Coalition list and appropriate for a desert climate. The building and landscape materials are appropriate for a desert climate and 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 design characteristics of the proposed commercial shopping center are not unsightly and are compatible with the neighboring commercial area. The proposed materials are suitable for the surrounding commercial uses and the desert environment.

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

The development of the site will be subject to building permit review and inspection, thereby protecting the health, safety, and general welfare of the public.

### BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
01/17/18	The City Council approved a request for a Rezoning (ZON-71646) from R-E (Residence Estates) and C-1 (Limited Commercial) to C-1 (Limited Commercial) on 2.18 acres at the southeast corner of Charleston Boulevard and Arville Street. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Tentative Map (TMP-71647) for a one-lot commercial subdivision on 2.69 acres at the southeast corner of Charleston Boulevard and Arville Street. The Planning Commission and staff recommended approval.
11/13/18	A Variance (VAR-74643) application was withdrawn without prejudice to allow a zero-foot rear yard setback where 20 feet is required on 2.69 acres at the southeast corner of Charleston Boulevard and Arville Street. The Planning Commission and staff recommended denial.
	A Site Development Plan Review (SDR-74641) application was withdrawn without prejudice for a proposed 35,220 square-foot shopping center with Waivers to allow a zero-foot wide landscape buffer along a portion of the east property line where eight feet is required; a five-foot-wide landscape buffer along a portion of the north property line and a zero-foot wide landscape buffer adjacent to a portion of the west property line where 15 feet is required on 2.69 acres at the southeast corner of Charleston Boulevard and Arville Street. The Planning Commission and staff recommended denial.
11/10/20	The Planning Commission is scheduled to review a request for a Tentative Map (20-0211-TMP1) for a one-lot commercial subdivision at the subject site.
10/13/20	<p>The Planning Commission unanimously voted to recommend APPROVAL on the following Land Use Entitlement project requests on 2.69 acres at the southeast corner of Charleston Boulevard and Arville Street (APNs 162-06-510-001 and 002), C-1 (Limited Commercial) Zone, Ward 1 (Knudsen).</p> <ul style="list-style-type: none"> <li>• <b>20-0154-VAR1</b> - TO ALLOW A ZERO-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED.</li> <li>• <b>20-0154-SDR1</b> - FOR A PROPOSED 31,250 SQUARE-FOOT SHOPPING CENTER WITH WAIVERS OF THE PERIMETER LANDSCAPE BUFFER REQUIREMENTS.</li> </ul>

<i>Most Recent Change of Ownership</i>	
12/21/17	A deed was recorded for a change in ownership.

**Staff Report Page Nine**  
**November 18, 2020 – City Council Meeting**

<b>Related Building Permits/Business Licenses</b>	
11/06/85	A Business License (C05-00267) was issued for a tobacco dealer at 4371 West Charleston Boulevard. The license is currently active and set to expire on 02/01/21.
	A Business License (L16-00091) was issued for a tavern at 4371 West Charleston Boulevard. The license is currently active and set to expire on 04/01/21.
01/11/93	A Business License (G01-01541) was issued for a restricted gaming establishment at 4371 West Charleston Boulevard. The license is currently active and set to expire on 10/01/20.
09/23/94	A Business License (G50-06770) was issued for pet grooming at 4241 West Charleston Boulevard, Suite D. The license is currently active and set to expire on 03/01/21.
02/22/96	A Business License (G50-02484) was issued for an auto upholstery at 4241 West Charleston Boulevard, Suite O. The license is currently active and set to expire on 02/01/21.
08/14/03	A Business License (C08-01671) was issued for coin-operated machines at 4371 West Charleston Boulevard. The license is currently active and set to expire on 02/01/21.
10/21/03	A Business License (G50-05463) was issued for a nightclub with retail sales at 4371 West Charleston Boulevard. The license is currently active and set to expire on 10/01/20.
09/28/16	A Business License (G64-06302) was issued for an ATM at 4371 West Charleston Boulevard. The license is currently active and set to expire on 09/01/21.

<b>Pre-Application Meeting</b>	
08/19/20	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Variance and Site Development Plan Review pertaining to a proposed shopping center development.

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

<b>Field Check</b>	
09/03/20	A routine field check was conducted by staff; staff found a mostly abandoned and boarded up commercial shopping center.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	2.69

Staff Report Page Ten  
November 18, 2020 – City Council Meeting

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	MXU (Mixed Use)	C-1 (Limited Commercial)
North	General Personal Service	SC (Service Commercial)	
	Office, Other than Listed		C-D (Designed Commercial)
South	Church/House of Worship		R (Rural Density Residential)
	General Retail, Other than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
East	Martial Arts Studio		
West	Shopping Center		

<b>Master and Neighborhood Plan Areas</b>	<b>Compliance</b>
No Applicable Master Plan Area	N/A
<b>Special Area and Overlay Districts</b>	<b>Compliance</b>
A-O (Airport Overlay) District (175 Feet)	Y
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
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

*Pursuant to Title 19.08, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	N/A	117,176 SF	Y
Min. Lot Width	100 Feet	313 Feet	Y
Min. Setbacks			
• Front	10 Feet	15 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	10 Feet	36 Feet	Y
• Rear	20 Feet	0 Feet	N*



Staff Report Page Eleven  
November 18, 2020 – City Council Meeting

***Pursuant to Title 19.08, the following standards apply:***

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Distance Between Buildings	N/A	140 Feet	Y
Max. Lot Coverage	50%	26.8%	Y
Max. Building Height	N/A	42 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y or N

*\*The applicant is requesting a Variance to allow a reduced rear yard setback.*

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope	96 Feet	123 Feet	N*
Trash Enclosure	50 Feet	34 Feet	N*

*\*The neighboring R-E (Residence Estates) zoned property is developed with a nonresidential use (Church/House of Worship) and therefore not held to the residential adjacency standards.*

***Pursuant to Title 19.08, the following standards apply:***

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	18 Trees	14 Trees	N**
• South	1 Tree / 20 Linear Feet	19 Trees	0 Trees	N
• East	1 Tree / 20 Linear Feet	16 Trees	0 Trees	N
• West	1 Tree / 20 Linear Feet	10 Trees	12 Trees	Y
<b>TOTAL PERIMETER TREES</b>		<b>63 Trees</b>	<b>26 Trees</b>	<b>N</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	22 Trees	30 Trees	Y
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North	15 Feet		10 Feet	N*
• South	0 Feet		0 Feet	N***
• East	8 Feet		0 Feet	N*
• West	15 Feet		15 Feet	Y

*\*The applicant is requesting Waivers of the landscape buffer requirements.*

*\*\*The applicant is requesting an Exception of the landscape buffer requirements.*

*\*\*\*The southern property line is adjacent to an alleyway that is also a Nevada Energy power easement where trees are prohibited.*

Staff Report Page Twelve  
November 18, 2020 – City Council Meeting

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Arville Street	Collector	Title 13	57	Y

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

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Required</b>		<b>Provided</b>		<b>Compliance</b>	
		<b>Parking Ratio</b>	<b>Parking</b>		<b>Parking</b>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	31,500 SF	1 per 250 SF	126				
<b>TOTAL SPACES REQUIRED</b>			126		126		Y
<b>Regular and Handicap Spaces Required</b>			121	5	121	5	Y
<b>Loading Spaces</b>			3		3		Y

<b>Waivers</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
Landscape buffers adjacent to right-of-way must be 15 feet in width	To allow a 10-foot wide landscape buffer where 15 feet is required along a portion of the north property line.	Denial
	A Waiver is requested to allow a zero-foot wide landscape buffer adjacent to the south property line due to the existing adjacent NV Energy power easement.	Approval
Landscape buffers adjacent to interior lot lines must be eight feet in width	To allow a five-foot wide landscape buffer along a portion of the east property line where eight feet is required.	Denial

<b>Exceptions</b>		
<b>Requirement</b>	<b>Request</b>	<b>Staff Recommendation</b>
One 24-inch box tree every linear feet within the northern perimeter landscape buffer.	To allow 14 trees where 18 are required within the northern perimeter landscape buffer.	Approval

Staff Report Page Thirteen  
November 18, 2020 – City Council Meeting

**Department of Public Works Traffic Study**

Site Development Plan Review for a Proposed 25,500 Square-Foot Retail Building Replaicng an Existing Retail Development of 36,900 Square Feet – Southeast Corner of Charleston Boulevard and Arville Street				
First Proposed Use				
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	25.5	37.75	963
AM Peak Hour			0.94	24
PM Peak Hour			3.81	97
Second Proposed Use				
Average Daily Traffic (ADT)	FAST-FOOD WITH DRIVE THROUGH [1000 SF]	6	470.95	2,826
AM Peak Hour			40.19	241
PM Peak Hour			32.67	196
Total Proposed Use				
Average Daily Traffic (ADT)	TOTAL	31.5		3,789
AM Peak Hour				265
PM Peak Hour				293
Existing Use				
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	36.9	37.75	1,393
AM Peak Hour			0.94	35
PM Peak Hour			3.81	141
Net Change				
Average Daily Traffic (ADT)	NET CHANGE	-5.4		2,396
AM Peak Hour				230
PM Peak Hour				152
Existing Traffic on Nearby Streets				
Charleston Boulevard				
Average Daily Traffic (ADT)			38,588	
PM Peak Hour (Heaviest 60 Minutes)			3,087	
Arville Street				
Average Daily Traffic (ADT)			4,941	
PM Peak Hour (heaviest 60 minutes)			395	
Traffic Capacity of Adjacent Streets:				
Adjacent Street ADT Capacity				
Charleston Boulevard			50,900	
Arville Street			15,990	