



**AGENDA MEMO - COMMUNITY DEVELOPMENT**

**CITY COUNCIL MEETING DATE: JULY 19, 2023**

**DEPARTMENT: COMMUNITY DEVELOPMENT**

**ITEM DESCRIPTION: APPLICANT/OWNER: INTERNATIONAL, LLC**

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>23-0260-ROC1</b>	Staff recommends APPROVAL, subject to conditions:	

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      21

**NOTICES MAILED**                      180

**PROTESTS**                      0

**APPROVALS**                      0

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

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**23-0260-ROC1 CONDITIONS**

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**Planning**

1. Condition of Approval number two (2) of Rezoning (ZON-2480) is hereby deleted.

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

**PROJECT DESCRIPTION**

The applicant is requesting to delete Condition of Approval number two (2) of Rezoning (ZON-2480).

**ANALYSIS**

On September 3, 2003 the City Council approved a Rezoning request for 5.37 acres adjacent to the south side of Charleston Boulevard, approximately 610 feet west of Rainbow Boulevard from C-1 (Limited Commercial) to C-2 (General Commercial). Part of that approval included Condition of Approval number two (2) of Rezoning (ZON-2480) which stated,

*“A deed restriction running with the land, which limits the use of the property for auto body/paint and repair as the only C-2 use shall be executed by the property owner and submitted to the City Attorney’s Office for approval. Recordation of the approved deed restriction shall name the City of Las Vegas as a party and shall be recorded by the applicant with the County Recorder prior to issuance of any building permits for tenant improvements or Certificates of Occupancy.”*

This recorded deed restriction limited the property to automotive paint and body repair services as the only C-2 allowed use permitted on the site. While other land uses such as an Animal Hospital, Indoor Commercial Recreation, and General Personal Services such as salons and dry cleaners are permitted by right in the C-2 zone, this deed restriction would not allow those uses on this site.

In February of 2016, the subject site underwent another zone change as the City Council approved a request for a General Plan Amendment (GPA-62262) from SC (Service Commercial) to M (Medium Density Residential) and a Rezoning (ZON-62263) from C-1 (Limited Commercial) to R-TH (Single Family Attached); and then a second zone change that same year in September, as the City Council approved a request for a General Plan Amendment (GPA-64773) from M (Medium Density Residential) to SC (Service Commercial) and a Rezoning (ZON-64774) from R-TH (Single Family Attached) to C-1 (Limited Commercial). All the while the subject site remained undeveloped and the deed restriction conditioned in 2003 remained.

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An ownership change occurred for the subject property in 2021 in conjunction with a new development plan for the undeveloped parcel. The new development approved by the City Council in May of 2021 included a Mini-Storage Facility with Recreational Vehicle and Boat Storage. A follow-up Major Amendment to those approved plans occurred on May 17, 2023 as the City Council approved a request for an 835-unit, two-story, 93,343 square-foot Mini-Storage development that included the elimination of the outdoor Recreational Vehicle and Boat Storage.

As stated by the applicant's representative in the justification letter date stamped 05/24/23, as the applicant prepares to develop the subject site with a Mini-Storage Facility, the applicant is concerned that the deed restriction could be miss-interpreted during the building permit application review process and is requesting for the deed restriction to be removed. The first step in this process is to remove/delete Condition of Approval number two (2) of Rezoning (ZON-2480).

**FINDINGS (23-0260-ROC1)**

The deed restriction required in 2003 limited the use of the land in accordance with the approved Rezoning (ZON-2480) from C-1 to C-2. As the subject site is no longer zoned C-2, staff finds the Condition of Approval that required the deed restriction is no longer applicable and recommends approval of the Review of Condition to delete Condition of Approval number two (2) of Rezoning (ZON-2480).

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i></b>	
03/19/86	The City Council approved a petition for Annexation (A-0009-85) for 1,509 acres of land, including a portion of the subject site. The effective date of the annexation was 03/28/86.
05/01/96	The City Council approved a request for a Rezoning (Z-0034-96) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject site. The Planning Commission recommended approval on 04/11/96.
09/08/97	The City Council approved a request for a Reinstatement and Extension of Time [Z-0034-96(1)] for an approved restaurant, lounge and mini-storage facility on the subject site. The Planning Commission recommended approval on 08/14/97.

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<b><i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i></b>	
09/03/03	The City Council approved a request for a General Plan Amendment (GPA-2479) from: SC (Service Commercial) to: GC (General Commercial) on 5.37 acres adjacent to the south side of Charleston Boulevard, approximately 610 feet west of Rainbow Boulevard. This request originally included the subject parcel, but was removed at the City Council meeting prior to approval. The Planning Commission and staff recommended denial of the request.
	The City Council approved a request for a Rezoning (ZON-2480) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone and C-1 (Limited Commercial) Zone to C-2 (General Commercial) Zone adjacent to the south side of West Charleston Boulevard, approximately 610 feet west of Rainbow Boulevard. The Planning Commission and staff recommended denial of the request.
01/08/04	The Planning Commission denied a request for a Site Development Plan Review (SDR-3404) for a proposed Auto Inventory Storage Facility and Waivers to parking lot landscaping requirements and for a reduction of perimeter landscaping adjacent to the south side of Charleston Boulevard, approximately 770 feet west of Rainbow Boulevard. Staff recommended denial of the request.
02/17/16	The City Council approved a request for a General Plan Amendment (GPA-62262) from SC (Service Commercial) to M (Medium Density Residential) on property located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Rezoning (ZON-62263) from C-1 (Limited Commercial) to R-TH (Single Family Attached) on 2.54 acres located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard.
09/07/16	The City Council approved a request for a General Plan Amendment (GPA-64773) from M (Medium Density Residential) to SC (Service Commercial) on property located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard. The Planning Commission and staff recommended approval of the request.
	The City Council approved a request for a Rezoning (ZON-64774) from R-TH (Single Family Attached) to C-1 (Limited Commercial) on 2.54 acres located on the south side of Charleston Boulevard, 782 feet west of Rainbow Boulevard.

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<b><i>Related Relevant City Actions by Planning, Fire, Code Enforcement, etc.</i></b>	
05/19/21	The City Council approved Special Use Permit (20-0384-SUP1) for a Recreational Vehicle and Boat Storage use at the subject site. The Planning Commission and Department of Community Development staff recommended approval.
	The City Council approved Special Use Permit (20-0384-SUP2) for a Mini-Storage Facility use at the subject site. The Planning Commission and Department of Community Development staff recommended approval.
	The City Council approved Site Development Plan Review (20-0384-SDR1) to allow a Recreational Vehicle, Boat and Mini-Storage development with waivers perimeter of landscape buffer requirements at the subject site. The Planning Commission and Department of Community Development staff recommended approval.
05/17/23	The City Council approved a request for a Petition to Vacate (23-0032-VAC1) U.S. Government patent easements, storm drainage easements and right-of-way for the Holmby Channel, The Planning Commission and Department of Community Development staff recommended approval.
	The City Council approved a request for a Major Amendment (23-0032-SUP1) to a previously approved Special Use Permit (20-0384-SUP2) for a Mini-Storage Facility use with a Waiver to allow a non-decorative block building facade where such is required. The Planning Commission and Department of Community Development staff recommended approval.
	The City Council approved a request for a Major Amendment (23-0032-SDR1) to a previously approved Site Development Plan Review (20-0384-SDR1) for an 835-unit, two-story, 93,343 square-foot mini-storage development at 6909 West Charleston Boulevard. The Planning Commission and Department of Community Development staff recommended approval.

<b><i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i></b>	
01/20/22	Code Enforcement processed a complaint (CE22-00510) for a homeless encampment at 6909 West Charleston Boulevard. The case was resolved on 02/24/22.
03/06/23	Code Enforcement processed a complaint (CE-23-01263) for graffiti and debris at 6909 West Charleston Boulevard. The case was resolved on 03/30/23.

<b><i>Most Recent Change of Ownership</i></b>	
08/2021	A deed was recorded for a change in ownership.

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***Related Building Permits/Business Licenses***

There are no building permits and business licenses related to the subject site.

***Pre-Application Meeting***

A pre-application meeting was not required, nor was one held.

***Neighborhood Meeting***

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

***Field Check***

A field check was not required, nor was one held.

***Details of Application Request***

***Site Area***

Net Acres	2.54
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<b><i>Surrounding Property</i></b>	<b><i>Existing Land Use Per Title 19.12</i></b>	<b><i>Planned or Special Land Use Designation</i></b>	<b><i>Existing Zoning District</i></b>
Subject Property	Undeveloped	TOD-1 (Transit Oriented Development – High)	C-1 (Limited Commercial)
North	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Drainage Channel	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Office, Medical or Dental	TOD-1 (Transit Oriented Development – High)	C-2 (General Commercial)
	Auto Repair Garage, Major		
West	Multi-Family	TOD-1 (Transit Oriented Development – High)	R-PD19 (Residential Planned Development – 19 Units Per Acre)

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<b><i>Master and Neighborhood Plan Areas</i></b>	<b><i>Compliance</i></b>
Las Vegas 2050 Master Plan Area: Charleston	Y
<b><i>Special Area and Overlay Districts</i></b>	<b><i>Compliance</i></b>
No Applicable Special Area or Overlay Districts	N/A
<b><i>Other Plans or Special Requirements</i></b>	<b><i>Compliance</i></b>
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

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