



## AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007  
DEPARTMENT: PLANNING AND DEVELOPMENT  
ITEM DESCRIPTION: SUP-19121 - APPLICANT: ADVANCE GROUP, INC. -  
OWNER: RESORT HOLDINGS 1, LLC

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### **\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

#### **Planning and Development**

1. Conformance to the conditions Site Development Plan Review (SDR-13664) except as amended herein.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This application is a request for a Special Use Permit for an Auto Title Loan Establishment at 7460 West Cheyenne Avenue.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
02/16/89	The City Council approved a Zoning Reclassification from R-E (Residence Estates) to C-1 (Limited Commercial) zoning for the site (Z-61-89). The site plan for the shopping center was part of this approval.
07/13/06	A Site Development Plan Review (SDR-13664) was administratively approved for a proposed 3,500 square foot commercial building on the subject site.
02/22/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #9/rl).
<b><i>Related Building Permits/Business Licenses</i></b>	
12/15/06	A building permit C-0317-06 was issued for the shell construction and for on-site improvements/hardscapes for Building C of the Cheyenne Fountains Shopping Center.

<b><i>Pre-Application Meeting</i></b>	
09/22/06	A pre-application meeting was held to discuss the requirements for a Special Use Permit for an Auto Title Loan establishment including payday loans and check cashing. Applicant was informed that if the suite were less than 1,500 square feet, a Waiver would be required. However, the subject suite is 3,450 square feet and; therefore, no waiver is necessary.

<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application nor was one held.	

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	0.39

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Public Library	PF (Public Facility)	C-V (Civic)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	NA
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
Airport Overlay	X		Y*
<b>Trails</b>		X	NA
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

\* The subject business is located within the North Las Vegas Airport Overlay District in the 175-foot buffer zone. As the shopping center is one-story and well below 175 feet in height, the subject site is in full compliance with the overlay district standards.

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.08*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	N/A	0.39 Acre	Y
Min. Lot Width	N/A	422 Feet	Y
Min. Setbacks			
• Front	20 Feet	81 Feet	Y
• Side	10 Feet	22 Feet	Y
• Rear	20 Feet	126 Feet	Y
Max. Lot Coverage	50 %	21 %	Y
Max. Building Height	N/A	20 Feet	Y
Trash Enclosure	50 Feet from residential	108 Feet	Y

*Pursuant to Title 19.10, 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	32,500 SF	1/250 SF	125	5	172	6	Y
<b>TOTAL (including handicap)</b>			130		178		Y

**ANALYSIS**

•Zoning

The subject site is currently zoned C-1 (Limited Commercial). The Auto Title Loan use is permitted in C-1 (Limited Commercial) with the approval of a Special Use Permit. This application, if approved, will satisfy this requirement.

•Use

An Auto Title Loan is defined by Title 19 as a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself. An Auto Title Loan establishment such as the one proposed is also permitted to provide services such as payday loans and check cashing typically associated with the Financial Institution, Specified or Check Cashing, Limited uses which fall below Auto Title Loan in the use hierarchy. An Auto Title Loan establishment may not provide the services of Auto Pawn or Pawn Shop establishments which are considered more intensive uses.

•Conditions

Title 19.04.050 lists the following conditions for the Auto Title Loan use, adopted by City Council April 21, 2004.

1. The use shall comply with all applicable requirements of Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a grand opening or that a business is coming soon may be approved administratively for a period not to exceed thirty days.

4. Window signs shall not:
  - a. Cover more than twenty percent (20%) of the area of all exterior windows;
  - b. Include flashing lights or neon lighting; or
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as teller windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term property line refers to lines of fee interest parcels and not leasehold parcels.

The proposed use meets all building design requirements including those regarding signage. The proposed floor plan is 3,500 square feet where a minimum area of 1,500 square feet is required. The subject site is located 337 feet from the nearest residential use where a minimum distance separation of 200 feet is required, and 1,670 feet from the nearest financial institution where 1,000 feet is the minimum distance separation required.

## FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 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 Title Loan use is located in an approved pad site under construction in an existing shopping center and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. The Auto Title Loan use is appropriate for the C-1 (Limited Commercial) zone and the subject site meets all distance separation requirements.

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

The proposed site plan conforms to both the General Plan and the Title 19 land use designations for the site. The proposed site plan conforms to other city policies and 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 is served by Cheyenne Boulevard, a 100-Foot Primary Arterial on the Master Plan of Streets and Highways, and of adequate capacity to serve 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.**

This site will be subject to inspections and business licensing requirements and will not endanger the public health or general welfare.

**5. The use meets all of the applicable conditions per Title 19.04.**

The proposed use is in compliance with all conditions of Title 19.04. The site is 337 feet from the nearest residential use where a 200-foot minimum distance separation is required, and is 1,670 from the nearest Auto Title Loan or other Financial Institution Specified, where a 1,000-foot minimum distance separation is required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 6

**ASSEMBLY DISTRICT** 37

**SENATE DISTRICT** 6

**NOTICES MAILED** 473 by City Clerk

**APPROVALS** 0

**PROTESTS** 3