



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: AUGUST 1, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-21909 - APPLICANT: RED ROCK JEWELERS, INC. -**  
**OWNER: ROCK SPRINGS PLAZA, LLC**

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

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.
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. No outdoor display, sales or storage of any merchandise will be permitted.
4. Prohibition of any on-premises advertising which would solicit the purchase of used jewelry or watches.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a proposed Secondhand Dealer at 7175 West Lake Mead Boulevard, Suite #160. The proposed use is a new jewelry store; however, the applicant wants the option to buy and sell used jewelry. The proposed use is compatible with the surrounding area and meets the base conditions for approval of a Special Use Permit. Staff recommends approval.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
08/07/91	The City Council approved a Rezoning (Z-0056-91) from N-U (Non-Urban) to C-V (Civic) on the subject property. The Planning Commission and staff recommended approval.
01/19/94	The City Council approved a second Extension of Time [Z-0056-91(2)] on an approved rezoning from N-U (Non-Urban) to C-V (Civic). The extension expired 12/02/95.
11/17/04	The City Council approved a request (GPA-5205) to amend a portion of the Southwest Sector Plan of the General Plan from PF (Public Facilities) to SC (Service Commercial) and a Rezoning (ZON-5206) from U (Undeveloped) [PF (Public Facilities) General Plan Designation] to C-1 (Limited Commercial) on 4.18 acres adjacent to the southwest corner of Lake Mead Boulevard and Rock Springs Drive. The Planning Commission and staff recommended approval.
03/16/05	The City Council approved a Site Development Plan Review for a proposed 40,125 square-foot commercial development and waivers of the build-to line, front landscaping, and front, side and rear setback standards on the subject site. The Planning Commission and staff recommended approval.
03/01/06	The City Council approved a Special Use Permit (SUP-10767) for a proposed Beer/Wine/Cooler On-Sale Establishment and a waiver of the 400-foot distance separation requirement from a school at 7175 West Lake Mead Boulevard, Suite #130. The Planning Commission recommended approval. Staff recommended denial.
10/04/06	The City Council approved a Special Use Permit (SUP-14757) for a proposed Massage Establishment and a waiver from the 400-foot distance separation requirement from an existing school, a waiver from the 1,000-foot distance separation from an existing massage establishment, and a waiver from the hours of operation restriction at 7175 West Lake Mead Boulevard, Suite #174. The Planning Commission recommended approval. Staff recommended denial.

06/06/07	The City Council approved a request (GPA-20216) to amend a portion of the Southwest Sector Plan of the Master Plan from H (High Density Residential) to M (Medium Density Residential); a Rezoning (ZON-20217) from U (Undeveloped) under Resolution of Intent to R-4 (High Density Residential) to R-PD14 (Residential Planned Development - 14 Units Per Acre); a Waiver (WVR-20568) of Title 18 to allow termination of a private street without a circular turnaround; a Variance (VAR-20219) to allow a reduction in the amount of required open space; a Variance (VAR-20419) to allow an R-PD development on less than five acres; and a Site Development Plan Review (SDR-20220) for a proposed 65-lot single family residential subdivision on 4.91 acres abutting the south side of the subject property. The Planning Commission and staff recommended denial of the GPA. The Planning Commission recommended approval of all other applications, while requiring a maximum of 63 lots. Staff recommended denial of all applications.
06/28/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ss).
<b>Related Building Permits/Business Licenses</b>	
10/04/05	Civil improvement plans were approved for the shopping center development where the subject suite is located.
11/17/05	A building permit (#05008054) for a building shell at 7175 West Lake Mead Boulevard was issued. A final inspection was made on 03/01/07.
04/14/07	A business license application (S26-92527) was filed for a Secondhand Dealer, Class IIIA at 7175 West Lake Mead Boulevard, Suite #160. The license will be fully reviewed pending the decision on this Special Use Permit.
04/17/07	A building permit application (#756715-8) was filed for a tenant improvement for a jewelry store at 7175 West Lake Mead Boulevard, Suite #160. (The plan check number is L-1538-07. There are no planning issues).
<b>Pre-Application Meeting</b>	
04/27/07	Submittal requirements for a Special Use Permit for a Secondhand Dealer were explained. No specific issues arose from the meeting.
<b>Neighborhood Meeting</b>	
A neighborhood meeting was not required for this application, nor was one held.	

<b>Field Check</b>	
06/05/07 -- The proposed tenant space has not been improved (the permit has not yet been obtained). It is situated at the corner of the shopping centers L-shaped design in a well-lit breezeway. Parking at the site appears adequate, despite the presence of three restaurants. Access to the site is from both Lake Mead Boulevard and from Rock Springs Drive.	

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	4.18
Net Acres	3.48

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Center	SC (Service Commercial)	U (Undeveloped) under Resolution of Intent to C-1 (Limited Commercial)
North	Tavern, Restaurant, Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Undeveloped	M (Medium Density Residential)	U (Undeveloped) under Resolution of Intent to R-PD14 (Residential Planned Development-14 Units Per Acre)
East	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
West	Offices	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>	X		
Airport Overlay 175 feet	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.10, the following parking standards apply:*

<b>Parking Requirement</b>							
<i>Use*</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center (Jewelry Store, Class III)	1,972 SF	1/250 SF GFA	8	N/A	204	7	
<b>SubTotal</b>			8	N/A	204	7	
<b>TOTAL</b>			<b>8</b>	<b>N/A</b>	<b>211</b>		<b>Y</b>

\*Per Title 19.04.010 and 19.10.010, the Shopping Center use allows one space per 250 square feet of gross floor area for all uses in the shopping center, unless the total floor area of the shopping center is less than 25,000 square feet. This particular shopping center contains 38,089 square feet.

## **ANALYSIS**

The subject parcel is under a Resolution of Intent to C-1 (Limited Commercial). A Secondhand Dealer use is permitted in this district with an approved Special Use Permit. The site meets all development standards per Title 19.

The applicant is opening a new jewelry store at the subject location within an existing shopping center. This use is already permitted as of right within a C-1 (Limited Commercial) district. In order to be able to buy and sell both new and used jewelry with a Class III-A Secondhand Dealer business license, a Special Use Permit for a Secondhand Dealer is required. Under the definition of this use in Title 19.20, the sale of jewelry (Class III type) and scrap precious metals is allowed, but the sale of junk, used cars or other items that the City Council determines does not fit within the intent of the term is not allowed.

A secondhand dealer license authorizes the licensee to buy, sell or trade secondhand or used personal property as well as advertise the business. Title 6.74.080 states that Class III-A permits secondhand dealers who deal exclusively in any one or more of the following kinds of secondhand articles: precious metals, precious or semiprecious gem stones, or articles made wholly or in part of precious metals and/or precious or semiprecious gem stones, including but not limited to jewelry, cutlery, tablewares, housewares, ornaments and decorations.

The minimum Special Use Permit requirements for this use as listed in Title 19.04 are as follows:

1. No outdoor display, sales or storage of any merchandise shall be permitted.
2. The use shall comply with the applicable requirements of LVMC Title 6.
3. No such use shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

The proposed store appears to comply with these three non-waivable conditions of approval of the use. There are no distance separation requirements between Secondhand Dealer uses or between this and other uses defined in Title 19.

## **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 Secondhand Dealer use will be harmonious and compatible with the uses in the existing shopping center and with the office and commercial uses on neighboring properties.

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

The subject site is physically suitable for the proposed use. Sufficient parking and circulation onsite are adequate to serve the needs of the use.

- 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 site is served by West Lake Mead Boulevard, a 100-foot Primary Arterial and by Rock Springs Drive, an 80-foot right-of-way. These thoroughfares are capable of accommodating the traffic flow created by the site and the 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.**

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

The proposed store appears to comply with the three non-waivable conditions of approval of the use. There are no distance separation requirements for a Secondhand Dealer use.

#### PLANNING COMMISSION ACTION

The Planning Commission added conditions 3 and 4 as shown.

#### NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

#### ASSEMBLY DISTRICT 37

#### SENATE DISTRICT 6

**NOTICES MAILED**            87 by City Clerk

**APPROVALS**                 0

**PROTESTS**                 1