

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 13, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:

SUP-23331 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MAIL FOR YOU, INC. - OWNER: SAHARA DURANO LIMITED PARTNERSHIP - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN USE WITHIN AN EXISTING FINANCIAL INSTITUTION SPECIFIED WITH WAIVERS TO ALLOW A DISTANCE SEPARATION OF ZERO FEET FROM A PARCEL ZONED FOR RESIDENTIAL USE WHERE 200 FEET IS THE MINIMUM SEPARATION REQUIRED, TO ALLOW A DISTANCE SEPARATION OF 100 FEET FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED AND AUTO TITLE LOAN USE WHERE 1,000 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW A 565 SQUARE FOOT ESTABLISHMENT WHERE 1,500 SQUARE FEET IS THE MINIMUM FLOOR AREA REQUIRED at 8655 West Sahara Avenue (APN 103-08-510-009), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C. 10/17/07

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE: _____ APPEALS RECEIVED BEFORE: _____

Planning Commission Meeting	Planning Commission Meeting	2
City Council Meeting	City Council Meeting	0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/support postcards
7. Submitted after final agenda Protest postcards

Motion made by DAVID STEINMAN to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
GLENN TROWBRIDGE, DAVID STEINMAN, [NAME NOT FOUND], LEO DAVENPORT, RICHARD TRUESDELL, SAM DUNNAM; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-BYRON GOYNES)

Minutes:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning and Development Department, stated that there is no basis to support a waiver of the separation requirements and recommended denial.

JOHN MUSCARELLA, owner of Mail For You, Inc., was present. He explained his other business location which offered title loans had lost its lease and this permit would allow him to provide title loans at this location. He emphasized the length of time his business had been operating and pointed out he had been offering payday loans before distance separation became a requirement.

TODD FARLOW, 240 North 19th Street, noted the business did not meet the square footage requirements as well as the distance separation requirements.

MR. MUSCARELLA explained that the existing store size and parking would be sufficient for his business needs.

MR. RANKIN informed CHAIRMAN DAVENPORT that the applicant had received his license for payday loans before the square footage and distance separation requirements were in place. MR. RANKIN also confirmed that one of the conditions did not allow the applicant to accept repossessed cars at the business location. MR. MUSCARELLA described how his existing business addresses the collection of repossessed cars.

In response to COMMISSIONER EVANS' inquiry, MR. MUSCARELLA described how the methods he uses to ensure his client's transactions are kept confidential.

COMMISSIONER EVANS stated he could not support his application as it does not meet the Code.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

