



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-24525 - APPLICANT: MJ CHRISTENSEN JEWELERS
LLC - OWNER: MJ CHRISTENSEN JEWELERS HOLDINGS LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Second Hand 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. 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 to allow a Second Hand Dealer use in an existing jewelry store located at 8980 West Charleston Boulevard. The existing jewelry store is part of the Peccole Ranch Town Center Commercial Subdivision (Boca Park).

As the proposed use is located within an established Jewelry Store, New use and does present any significant impact to the immediate area, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/17/80	The subject site was Annexed (A-0018-80) into the City of Las Vegas as part of a larger request.
09/02/92	The City Council approved a Rezoning (Z-0030-92) from U (Undeveloped) to C-1 (Limited Commercial) as part of a larger request.
12/31/92	The District Court, Clark County, Nevada ordered a Writ of Mandate that modified the conditions of approval for the Rezoning case (Z-0030-92) pertaining to this site.
4/27/98	The City Council approved a Site Development Plan Review [Z-0030-92(5)] for a 433,240 square foot retail shopping center which included 21 retail pad sites, including the subject site, and the City Council approved the related Peccole Town Center Master Development Plan and Development Standards. The Planning Commission recommended approval.
9/19/01	Staff approved an Administrative Site Development Plan Review Z-0030-92(21) for a proposed 5,138 square foot Retail Store located on the northeast corner of Charleston Boulevard and Rampart Boulevard in the Peccole Ranch Town Center (Boca Park) shopping center.
<i>Related Building Permits/Business Licenses</i>	
10/15/02	Business license #J01-01696 issued for Jewelry Sales and Repairs at 8980 West Charleston Boulevard.
<i>Pre-Application Meeting</i>	
	The applicant met with staff to discuss the requirements for adding the Second Hand Dealer use to an established Jewelry Store, New use.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

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<i>Field Check</i>	
9/21/07	A Field check was made by staff with the following observations: <ul style="list-style-type: none"> • There is an operating jewelry store at this location. • There is adequate parking provided at this large commercial shopping center.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC(Service Commercial)	C-1(Limited Commercial)
North	Shopping Center	SC(Service Commercial)	C-1(Limited Commercial)
South	Shopping Center	SC(Service Commercial)	C-2(General Commercial)
East	Shopping Center	SC(Service Commercial)	C-1(Limited Commercial)
West	Shopping Center	SC(Service Commercial)	C-1(Limited Commercial)

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

ANALYSIS

- **Land Use and Zoning**

The subject site maintains the SC (Service Commercial) General Plan Land Use Designation and is located within the related C-1 (Limited Commercial) zoning district. The proposed Second Hand Dealer use is permitted in the C-1 (Limited Commercial) zoning district with an approved Special Use permit.

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This proposed Second Hand Dealer use meets the description in Title 19.04.010 as business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. The applicant intends to supplement the current Jewelry Store use with the incidental Second Hand Dealer use.

- **Trails**

A Pedestrian Path, as classified by the 2020 Las Vegas Master Plan Trails Element, has been dedicated and constructed along the north side of Charleston Boulevard. Staff finds that this Special Use Permit request will not have an adverse impact on the established Pedestrian Trail.

- **Site Plan**

The provided site plan show the proposed use located inside an existing jewelry store within an established commercial shopping center. The location of the proposed use is located at the southwest corner of Charleston Boulevard and Rampart Boulevard. There is no anticipated change to the existing parking.

- **Floor Plan**

The provided floor plans depict a 5,188 square-foot jewelry store. The proposed use is operated within the jewelry store with no restricted areas shown on the provided floor plans.

- **Title 19.04.010 Conditional Requirements**

Minimum Special Use Permit Requirements:

- *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 secondhand dealer shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

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.**

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With an approved Special Use Permit, the proposed Second Hand Dealer use is compatible with the General Plan land use designation and associated C-1 zoning district. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses, as the Second Hand Dealer use will be within an established Jewelry Store within an existing commercial center.

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

The proposed Second Hand Dealer use will be secondary and incidental to the established Jewelry Store, New use. The proposed use meets all conditional requirements as listed in Title 19.04.010 for a Second Hand Dealer; therefore, staff finds that the requested location is a suitable site for this 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 corner location of the subject site is primarily accessed from both Rampart and Charleston Boulevards, both designated as 100-foot wide Primary Arterials. Secondary access can be obtained indirectly from Alta Drive, designated as an 80foot wide Secondary Collector. There are adequate facilities to serve the Second Hand Dealer 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.

The applicant has provided substantial evidence that the proposed Second Hand Dealer use meets the Minimum Requirements as listed in Title 19.04.010 and is consistent with the Furthermore, the addition of a Second Hand Dealer Use as a secondary and incidental use to an existing licensed Jewelry Store Use does not compromise the overall objectives of the General Plan.

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

The proposed use meets all Minimum Requirements as listed in Title 19.04.010 for a Second Hand Dealer use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 3

SENATE DISTRICT 8

NOTICES MAILED 443

APPROVALS 0

PROTESTS 1