

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT CITY COUNCIL MEETING OF: NOVEMBER 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-23331 ABEYANCE ITEM PUBLIC HEARING - APPLICANT: MAIL FOR YOU, INC. - OWNER: SAHARA DURANGO LIMITED PARTNERSHIP Appeal filed from the denial by the Planning Commission of a 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 20 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 8635 West Sahara Avenue (APN 23-08-510-009), C-1 (Limited Commercial Zone, Ward 2 (Wolfson)). The Planning Commission (6-0 vote) and staff recommended DENIAL.

PROTESTS RECEIVED BEFORE: **APPROVALS RECEIVED BEFORE:**

Planning Commission Meeting

Planning Commission Meeting

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City Council Meeting

City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommended DENIAL.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by John Muscarella
7. Protest postcards
8. Backup referenced from the 09-13-07 Planning Commission Meeting Item 46

Motion made by STEVE WOLFSON to Approve subject to conditions

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-OSCAR B. GOODMAN)

CITY COUNCIL MEETING OF: NOVEMBER 7, 2007

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

BOB GENZER, Genzer Consulting, appeared on behalf of the applicant and business owner, JOHN MUSCARELLA, who was also present. The business has been at this location since 1999 prior to the requirements in the code for business size and distance separation. The actual location is approximately 180 feet from the south property line. The second waiver is closest to a similar business approximately 200 feet away from this location. The primary business is 300 mail boxes serviced by a separate entrance from the business area where loans are handled. At the Planning Commission meeting, the Planning Commissioners expressed concern for privacy; therefore, these two are separated. Other services provided at this location are copies, stamps, notaries and payday loans. His client has another location in Henderson for auto title loans; that property was purchased and his client needs to move the auto title loan service to this location. There will be no additional signage and the color of the building and signage are controlled by the owner of the shopping center. The current sign was removed and not replaced and the only sign faces towards Durango Drive. The business hours are 8:00 a.m. to 5:00 p.m. Monday through Friday, 10:00 a.m. to 2:00 p.m. Saturdays and closed on Sundays, but mailboxes will be available 24 hours. MR. GENZER indicated he was not receiving any complaints and that only a few protest postcards were received. He asked for approval and accepted all conditions.

COUNCILMAN WOLFEON appreciated MR. GENZER'S patience and meeting with him. He verified with MR. MUSCARELLA that he does not plan to add or change signage, but at a later time he would like to have a "Newman" sign. The Councilman pointed out that this business has been at this location for eight years and he has not heard of any complaints. Additionally, the West Sahara Association does not have any complaints.

MAYOR PRO TEM REESE declared the Public Hearing closed.