City of Las Vegas

Agenda Item No.: **133.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 6, 2008

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐**Consent** ☒ **Discussion**

SUBJECT:
SPECIAL USE PERMIT

SUP-25476 - PUBLIC HEARING - APPLICANT: CASH JACK - OWNER: TECH RETAIL CENTER Appeal from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN WITH A WAIVER TO ALLOW A 94 FOOT DISTANCE SEPARATION FROM A RESIDENTIAL USE WHERE 200 FEET IS REQUIRED at 2400 North Buffalo Drive, Suites #135 and #140 (APN 138-15-402-001) C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend DENIAL.

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	12	**Planning Commission Mtg.**	0
City Council Meeting	10	**City Council Meeting**	0

RECOMMENDATION:
The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by Greater Nevada Planning, Inc.
7. Protest postcards
8. Submitted after final agenda Protest postcards
9. Backup referenced from the 12-20-07 Planning Commission Meeting Item 30

Motion made by LARRY BROWN to Approve subject to conditions and adding the following condition as read for the record:

A. The hours of operation shall be limited from 8:00 a.m. to 8:00 p.m.

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)

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Minutes:
MAYOR PRO TEM REESE declared the Public Hearing open.

SCOTT SEBRAW, 8610 South Eastern Avenue, stated that both the Planning Commission and staff were concerned about the waiver of the residential distance requirement. Since the ingress and egress is well over 200 feet and the front doors actually face the interior of the development, they feel they meet the spirit of the code.

COUNCILMAN BROWN verified with MR. SEBRAW that the hours of operation are from 8:00 a.m. to 11:00 p.m. and do not exceed 11:00 p.m. The Councilman requested to amend the hours of operation. MARGO WHEELER, Director of Planning and Development Department, explained that 8:00 a.m. to 11:00 p.m. is the maximum allowed by code, but by condition, he could make it more restrictive.

In response to COUNCILMAN BROWN'S query, MR. SEBRAW was not aware of the company's normal hours but offered a closing time of 9:00 p.m. if 10:00 p.m. is too late. COUNCILMAN BROWN requested the hours of 8:00 a.m. to 8:00 p.m. and if it becomes a hardship the application could come back as a revised [illegible] on. He also asked that there be no neon or flashing lights facing Buffalo Drive. MS. WHEELER indicated, per code, that only a maximum of 20 percent of the window may be covered and may not include text other than the hours of operation and "open" or "closed". Flashing or neon lights are also addressed in the code.

COUNCILMAN BROWN asked MR. SEBRAW what services would be provided at this location. MR. SEBRAW replied that Loan Retail Center is only a title loan company without taking the cars. They do not provide check or payroll cashing service.

MAYOR PRO TEM REESE declared the Public Hearing closed.