



City of Las Vegas

Agenda Item No.: 48.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 24, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
UP-2720 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BDL INVESTMENTS LLC - OWNER: AMERICA FITNESS LTD LLC - Request for a Special Use Permit FOR PROPOSED PAWS SHOP at 7960 West Sahara Avenue, Suite #120 (APN 163-04-805-007), C-1 (Office Commercial) Zone, Ward 2 (Wolfson)

IF APPROVED, C.C. # 33771/08
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

| | | | |
|--------------------------|----|--------------------------|---|
| Planning Commission Mtg. | 11 | Planning Commission Mtg. | 0 |
| City Council Meeting | 0 | City Council Meeting | 0 |

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

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

Motion made by DAVID STEINMAN to Approve subject to conditions and adding the following condition:

A. There shall be no sale of guns on-site to the public.

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1
DAVID STEINMAN, GLENN TROWBRIDGE, STEVEN EVANS, VICKI QUINN; (Against-SAM DUNNAM, RICHARD TRUESDELL); (Abstain-None); (Did Not Vote-None); (Excused-BYRON GOYNES)

Minutes:
VICE CHAIR TROWBRIDGE declared the Public Hearing open.

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ANDY REEB, Planning and Development Department, stated the request is appropriately located in a commercial area and meets the distance separation standards. He recommended approval.

LENI SKAAR, 3753 Howard Hughes Parkway, appeared on behalf of the applicant. She explained that the applicant was Metro Jewelry and Loans who operated several stores in Reno and stated this would be their first store in Las Vegas. MS. SKAAR briefly described the location and how the business would operate. She stated a neighborhood meeting had been held and stated she had used the City's notification list. She pointed out the request meets all City requirements and requested approval.

DANIEL GOLDSEGER, 7995 West Sahara Avenue, owner of Morgan Taylor Jewelers, appeared in opposition. He stated the neighbors were not adequately notified and pointed out this business would be in direct competition with his business. Using a map, he pointed out similar uses in close proximity to the requested pawn shop use.

MR. GOLDSEGER informed VICE CHAIR TROWBRIDGE that his business does not buy jewelry or provide loans. VICE CHAIR TROWBRIDGE explained that the rules are not a business protection plan.

MARGO WHEELER, Director of the Planning and Development Department, clarified that the notices are mailed to property owners and not business owners.

BRENDA CERON, co-owner of Gold Rush Jewelry Design, appeared in opposition and reiterated that the neighbors had not been adequately notified. She stated the Canyon Gate homeowners were in opposition to this request. When questioned by VICE CHAIR TROWBRIDGE, MRS. CERON stated that the Canyon Gate Country Club was outside of the notice area.

AL CERON, 8125 West Sahara Avenue, co-owner of Gold Rush Jewelry Design, appeared in opposition. He expressed concern regarding the possibility of gun sales at the location and noted it would increase competition in the area.

MARTIN LIMON, 346 Perry Ellis Drive, appeared on behalf of the applicant. He explained that the business would take in firearms as collateral for loans, but they would be limited to dealer-to-dealer sales only and would not be sold to the public.

MS. WHEELER noted that similar conditions restricting firearm sales had been imposed on other pawn shops.

MS. SKAAR explained that the separation distances pertain to pawn shops and not jewelry stores and suggested that several jewelry stores in an area can be good for business. She also emphasized that the any firearms would be secured in a vault and not kept on display. She concluded by agreeing to all conditions.

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In response to COMMISSIONER EVANS' questions regarding the protocol for pawning guns, MR. LIMON explained that every effort is made to determine the ownership for each item that goes through the store. He noted that every piece of merchandise reported to the police with a very detailed written description.

COMMISSIONER EVANS requested details on how jewelry is handled by a pawn shop and MR. LIMON encouraged anyone whose jewelry had been stolen to file a police report and be as specific as possible. Mr. LIMON explained that they were not used as the written descriptions by the police and pawn shop were usually sufficient.

COMMISSIONER EVANS noted staff's recommendation for approval, but remarked that pawn shops do not enhance an area.

COMMISSIONER BUNYIN informed the parties in opposition to the application that the Planning Commission's job is to determine the appropriateness of zoning and uses for a particular property and should not take into consideration any competing businesses.

VICE CHAIR TROWBRIDGE requested an additional condition prohibiting outside sale of firearms.

COMMISSIONER TRUESDELL asked the applicant to explain why people are encouraged to bring guns to this location and Mr. LIMON explained that firearms are another form of collateral. He pointed out that some gun owners use pawn shops as storage, noting that all guns in the store are kept off locked and secured.

VICE CHAIR TROWBRIDGE declared the Public Hearing closed.