



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 7, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-27082 - APPLICANT/OWNER: CECILE PROPERTIES, LLC

**** CONDITIONS ****

The Planning Commission (4-1/gt-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. One Year Review at a Public Hearing of the Planning Commission from the issuance of the business license.
2. Conformance to all minimum requirements under LVMC Title 19.04.010 for Secondhand Dealer use, including parking requirements.
3. Provide an additional 24-inch box tree at the front of the building, for a total of two trees on the south face of the building.
4. 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.
5. Parking lot shall be re-stripped to conform to the site plan date stamped 03/04/08.
6. 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 Secondhand Dealer use located at 420 East Sahara Avenue. The applicant intends to purchase and sell antique jewelry, coins, flatware and other precious metals. The proposed use is compatible with the surrounding area and satisfies the minimum conditions for approval for a Special Use Permit; therefore staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/22/68	The Board of City Commissioners approved a Rezoning (Z-0003-68) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) at the northeast corner of Sahara Avenue and Santa Rita Drive.
04/10/08	The Planning Commission voted 4-1/gt-1/rt to recommend APPROVAL (PC Agenda Item #28/ed).
<i>Related Building Permits/Business Licenses</i>	
10/11/95	A building permit (#95879586) was issued for a wall sign at 420 East Sahara Avenue (Jewelry and Mineral).
03/21/96	A building permit (#96005465) was issued for a single face sign at 420 East Sahara Avenue (Jewelry and Mineral).
<i>Pre-Application Meeting</i>	
02/14/08	A pre-application meeting was held to discuss the submittal requirements for a Secondhand Dealer at 420 East Sahara Avenue.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
03/04/2008	A field check was conducted and found that the parking lot at this facility requires a necessary re-stripping, including the handicap space. Also it was noted that one of the two trees on the site has died, a condition has been added to replace this dead portion of landscaping. One parking space is unable to be utilized.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.15

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Unoccupied Commercial Building	SC (Service Commercial)	C-1 (Limited Commercial)

North	Multi-family Residential	ML (Medium Low Density Residential)	R-2 (Medium Low Density Residential)
South	Apartments Clark County	CT (Commercial Tourist Clark County)	H-1 (Limited Resort and Apartment District - Clark County Zoning)
East	Cash Loan	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office	L (Low Density Residential), SC (Service Commercial)	P-R (Professional Office and Parking District) and C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Beverly Green Southridge Neighborhood Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
G-O Gaming Enterprise Overlay District	X		Y
A-O Airport Overlay District 175 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y*

* This Special Use Permit application is located within 500 feet of city boundaries; therefore this project is considered a Project of Regional Significance. No comments were received for this request.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Secondhand Dealer	2,313	1/250 SF	5	1	9	1	Y*
TOTAL			6		10		Y*

* Parking-impaired development

The subject location is considered a parking impaired development (Title 19.04.010 (C)), which allows a building to maintain parking standards that were applicable at the time the use or building was established. Of the 10 parking spaces provided, only six spaces meet the minimum required dimensions required by current Title 19 standards.

ANALYSIS

- **Land Use and Zoning**

The subject site maintains the SC (Service Commercial) General Plan Land Use Designation and is located within the 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.

This proposed Second Hand Dealer use meets the description in Title 19.04.010 as a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. For purposes of this description, the sale of secondhand or used articles is deemed to be incidental to the sale of new articles. The applicant proposes to sell Jewelry (Class III type) as they have from their current location at 729 Las Vegas Boulevard.

- **Site Plan**

The provided site plan shows the proposed use located in a 2,313 square-foot building located at 420 East Sahara Avenue. The proposed use requires one parking space per 250 square feet of building area, as such the parking required for this Second Hand Dealer Use is satisfied by the existing spaces. The site plan also displays a total of 11 parking spaces, but one of these spaces does not have a access due to a curb and therefore was not counted in the parking calculation.

- **Floor Plan**

The provided floor plans depict a 2,313 square-foot building with 2,148 square feet dedicated to open retail space and a 144 square-foot office. There are two 36 square-foot bathrooms and are located in the northeast corner of this building. The majority of the floor area will be used to showcase the jewelry, antiques and other items.

- **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.

Per Title 19.04.050, it shall not be permissible to Waive any Special use Permit requirement that is listed in Table 2 with an asterisk ().

FINDINGS

The following findings must be made for a Special Use Permit:

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.**

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

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

The proposed use meets all conditional requirements as listed in Title 19.04.010 for a Second Hand Dealer and required parking; 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 site is served by Sahara Avenue, a 100-foot Primary Arterial. This thoroughfare is more than adequate for accommodating the traffic flow created by the site and the 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.**

Approval of the proposed Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections for business licensing.

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

The proposed store complies with the required minimum Special Use Permit requirements for a Secondhand Dealer use. There are no distance separation requirements for a Secondhand Dealer use.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1. There was one person opposed to the project at the Planning Commission Meeting. The Planning Commission also considered adding another condition to say the north decorative block wall shall be eight feet. All necessary building permits must be obtained and finalled.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 448 by City Clerk

APPROVALS 1

PROTESTS 3