



City of Las Vegas

Agenda Item No.: 43.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 23, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
SUP-2974 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT:
MONEYTREE, INC. - OWNER: RIVIERA HILLS PLAZA, LLC - Request for a Special
Use Permit for a FINANCIAL INSTITUTION, SPECIFIED WITH WAIVERS TO ALLOW A
ZERO-FOOT MINIMUM SEPARATION FROM A RESIDENTIAL PARCEL WHERE 200
FEET IS REQUIRED AND 690 FEET FROM A FINANCIAL INSTITUTION, SPECIFIED
WHERE 1000 FEET IS REQUIRED at 10420 West Cheyenne Avenue, Suite #120 (APN 137-12-
817-000), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan
Designation under Resolution of Incent to PD (Planned Development), Ward 4 (Brown)

IF APPROVED, C.C. 11/19/2008
IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

<u>PROTESTS RECEIVED BEFORE:</u>	<u>APPROVALS RECEIVED BEFORE:</u>
Planning Commission Mtg. <input type="text" value="5"/>	Planning Commission Mtg. <input type="text" value="0"/>
City Council Meeting <input type="text" value="0"/>	City Council Meeting <input type="text" value="0"/>

RECOMMENDATION:
DENIAL

- BACKUP DOCUMENTATION:**
1. Location, Aerial and Special Maps
 2. Conditions and Staff Report
 3. Supporting Documentation
 4. Photos
 5. Justification Letters
 6. Protest Postcards
 7. Submitted after Final Agenda Protest Postcards

Motion made by GLENN TROWBRIDGE to Approve subject to conditions and adding the following conditions as read for the record:

- A. The applicant shall submit a letter to the Department of Planning and Development indicating that SUP-22703 is being voluntarily relinquished by the applicant before any business licenses are issued.
- B. This action extinguishes SUP-22703.

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Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

STEVEN EVANS, VICKI QUINN, DAVID STEINMAN, BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL, KEEN ELLSWORTH; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: COMMISSIONER STEINMAN disclosed that he serves on the board of the Sun City Summerlin which is within the notice area. As his home is over two miles from this site, he would vote on this matter.

Minutes:

CHAIR GOYNES declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development Department, stated the request fails to meet the minimum distance separation requirements and recommended denial. He noted that additional protests had been received.

TREVOR HAYES and JENNIFER ROBERTS, 300 South 4th Street, Lionel Sawyer and Collins, appeared on behalf of the applicant. MS. ROBERTS stated that the applicant had been approved for a similar Special Use Permit (SUP) on the same site in another pad and that the applicant would like to move to a different location within the same shopping center. Using the overhead, she pointed out the previous location and the requested location, noting the new location's distance to residential areas and other similar uses. She added that the applicant would be willing to expunge the previously approved SUP.

DOUG RANKIN, Planning and Development Department, stated that SUP 22703 had been approved for the site and was still valid, but it had never been exercised.

During the motion, DEPUTY CITY ATTORNEY JIM LEWIS and MARGO WHEELER, Director of the Planning and Development Department, crafted the additional conditions extinguishing the previously approved SUP.

CHAIR GOYNES declared the Public Hearing closed.