



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: NOVEMBER 19, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-29853 - APPLICANT: PAWN PLUS IV, LLC - OWNER: SDL, INC.**

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**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Pawn Shop use, including parking requirements.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
3. This approval shall be void one year from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. There shall be no taking possession of motor vehicles as pledge property at this location.
5. No outdoor display, sales or storage of any merchandise shall be permitted.
6. This business shall operate in conformance to Chapter 6.60 of the City of Las Vegas Municipal Code.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Major Amendment to an approved Special Use Permit (U-0204-00) and Waivers to allow a Zero-foot distance separation where 200 feet is required from a residential parcel and a 444-foot distance separation where a 1,000 feet is required from a Financial Institution, Specified for a 1,656 square-foot expansion of an existing 3,900 square-foot Pawn Shop at 1237 East Sahara Avenue. The existing use is located with in a developed shopping center that is compatible and harmonious with surrounding development. Additionally, the subject use has existed at this location since 2000 and has been operated in a manner that has not compromised the public health, safety or welfare; therefore staff recommends approval.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
1961	The subject shopping center was constructed.
03/07/01	The City Council approved a Special Use Permit (U-0204-00) for a Pawn Shop at 1243 East Sahara Avenue. The Planning Commission recommended approval.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to C (Commercial), MXU (Mixed Use), I (Industrial) or PF (Public Facilities) on various parcels located within the proposed Las Vegas Redevelopment Plan area. The Planning Commission recommended approval.
07/21/06	A Zoning Inspection (Z-INSP-25884) was requested by Staff to do an address verification, and check to see if it was in compliance with conditions of approval for their business license application. The Pawn shop was in compliance with conditions of approval, and the correct address is 1237 E. Sahara Avenue.
07/02/08	The City Council approved a Required One Year Review (RQR-28265) of an approved Special Use Permit (U-0204-00) for a Pawn Shop at 1237 East Sahara Avenue. Staff recommended approval.
03/18/08	A Customer Call Request (CSR-346538) was answered by Metro and the manager of Pawn Plus IV was issued a citation of non-compliance for improper record keeping.
10/23/08	<a href="#">The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #44/dh).</a>

<b>Related Building Permits/Business Licenses</b>	
11/30/00	A business license (S25-00072) was issued for a Secondhand Dealer (Pawn Plus IV) at 1237 E. Sahara Avenue.
11/30/00	A business license (P08-00021) was issued for an Auto Pawn Broker (Pawn Plus IV) at 1237 E. Sahara Avenue.
11/30/00	A business license (P04-00031) was issued for a Pawnbroker (Pawn Plus IV) at 1237 E. Sahara Avenue.
09/14/01	A business license (F14-00074) was issued for an Auto Title Company (ASAP Loans) at 1237 E. Sahara Avenue.
01/21/05	A business license (C21-00156) was issued for a Check Cashing Service (ASAP Loans) at 1237 E. Sahara Avenue.
11/07/07	A business license (F03-00070) was issued for a Pistol Permit (Pawn Plus IV) at 1237 E. Sahara Avenue.
<b>Pre-Application Meeting</b>	
08/19/08	A pre-application meeting with the applicant was held and the requirements for a Major Amendment to Special Use Permit (U-0204-00) were reviewed.
<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required, nor was one held.	

<b>Field Check</b>	
09/19/08	A field check was conducted and the subject site is an active business with a vacant tenant space next to them, as well as other surrounding retail establishments in a shopping center.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	3.68

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
North	Retail	C (Commercial)	C-1 (Limited Commercial)
South	Retail/Parking	C (Commercial)	C-1 (Limited Commercial)
East	Single-Family Residential	ML ( Medium Low Density Residential)	R-2 ( Medium-Low Density Residential)
	Retail	SC (Service Commercial)	C-1 ( Limited Commercial)
West	Tavern/Restaurants	C (Commercial)	C-1 ( Limited Commercial)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	N/A
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
A-O (Airport Overlay) District (175 Feet)	X		Y
Redevelopment Plan Area	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>	X		Y

**A-O Airport Overlay District (175-Feet)**

The subject property is located within the Airport Overlay within the 175-foot height limitation contour. There are no structures or buildings on site, which will encroach within this height limitation.

**Project of Regional Significance** The subject property is adjacent to the City boundary of Clark County. This meets the criteria of a Project of Regional Significance, which must be submitted if a Special Use Permit is made concerning property within 500 feet of the City boundary of Clark County or North Las Vegas. A Project of Regional Significance has been filed and submitted to the appropriate agencies. There have been no comments submitted by other agencies as of 10/02/08 on the subject property.

**DEVELOPMENT STANDARDS**

***Pursuant to Title 19.10, the following parking standards apply:***

<b>Parking Requirement</b>							
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Parking Ratio</b>	<b>Required</b>		<b>Provided</b>		<b>Compliance</b>
			<b>Parking</b>		<b>Parking</b>		
			Regular	Handi-capped	Regular	Handi-capped	
Existing Pawn Shop	3,900 SF	1/250	15	1	217	7	Y
Expansion	1,656 SF	1/250	6	1			
<b>Subtotal</b>			21	2			
<b>TOTAL</b>	5,556 SF		23		224		Y

**ANALYSIS**

- **Zoning**

The property is zoned C-1 (Limited Commercial) and within the Redevelopment Plan Area. The proposed Pawn Shop is part of an existing shopping center and is within the C-1(Limited Commercial) zoning district where it is a permissible use with approval of a Special Use Permit. This application will satisfy this requirement.

The applicant is requesting a Major Amendment to an approved Special Use Permit (U-0204-00) with Waivers that were not required prior to the year 2000 to allow a Zero-foot distance separation where 200 feet is required from a residential parcel and a 444-foot distance separation where 1,000 feet is required from a financial institution for a 1,656 square-foot expansion of an existing 3,900 square-foot Pawn Shop at 1237 East Sahara Avenue. The two protected uses are located respectively to east (Residential Parcel) and west (Financial Institution) of the subject parcel; the following chart has been provided for information only:

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow a 444-foot distance separation from a Financial Institution, Specified	A 1,000-foot distance separation from Financial Institution, Specified	Approval
To allow a Zero-foot distance separation from a residential use	A 200-foot distance separation from a residential use	Approval

<b>Waiver Information for Distance Separation</b>				
<b>Type of Use</b>	<b>Name (License #)</b>	<b>Address</b>	<b>Required Distance</b>	<b>Distance Provided</b>
Financial Institution, Specified	Kosters Cash Loans (F02-00247)	1120 E. Sahara Ave.	1,000 Feet	444 Feet
Residential Use	Francisco Park Subdivision	2300 & 2400 Block of Maroney Ave.	200 Feet	Zero Feet

- **Use**

A Pawn Shop is defined by Title 19.04.010, as a facility (other than a bank, savings and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

- **Minimum Special Use Permit Requirements:**

- \*1. The use shall comply with the applicable requirements of LVMC Chapter 6.60
- \*2. No outdoor display, sales or storage of any merchandise shall be permitted.
- \*3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
- 4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. For purposes of this Regulation 4, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term property line refers to property lines of fee interest parcels and not leasehold parcels.

The existing Pawn Shop was previously approved under Special Use Permit (U-0204-00) and all of the Minimum Special Use Requirements were satisfied. However, the location fails to meet Number 4 of the Minimum Special Use Permit Requirements. Therefore, the applicant is applying for Waivers to allow a distance separation of Zero feet from a residential parcel, where 200 feet is required and a 444-foot distance separation from a Financial Institution, Specified where 1,000 feet is required.

## **FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

- 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.**

The proposed use is an expansion of an existing Pawn Shop that was approved in 2000 under Special Use Permit (U-0204-00). The use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses as previously demonstrated.

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

The subject site contains an existing shopping center. This site as previously demonstrated is physically suitable for the type and intensity of the land use proposed by the Pawn Shop.

**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 Maryland Parkway and Sahara Avenue, both 100-foot Primary Arterials. These streets will provide adequate access for the requirements of the proposed Pawn Shop expansion project.

**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.**

This use will be subject to licensing requirements and will therefore not compromise the public health, welfare or safety or overall objectives of the General Plan.

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

The proposed use does not meet Number 4 of the Minimum Special Use Requirements, which states, No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop use or specified financial institution use. The applicant has requested Waivers of these requirements as part of this amendment to the Special Use Permit (U-0204-00). Staff is in support of this Waiver request as the use has been inexistence since 2000 and has been conducted in a compatible and harmonious manner with the surrounding land uses.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 11

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 10

**NOTICES MAILED** 210 by City Clerk

**APPROVALS** 1

**PROTESTS** 1