



## **AGENDA MEMO**

**CITY COUNCIL MEETING OF: JULY 1, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-34110 - APPLICANT: EDWARD TAGUBA - OWNER: PK II SAHARA PAVILLION NORTH, LLC**

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### **\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

#### **Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This request is for a Special Use Permit for a proposed Secondhand Dealer use to be located within an existing 1,242 square-foot Jewelry Store, on 29.40 acres at 4726 West Sahara Avenue. Staff is recommending approval of this application, as the proposed use will be ancillary to the Jewelry Store and can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc and Property Sales</i> |                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/05/87                                                                             | The City Council approved a Rezoning (Z-0057-87) to C-1 (Limited Commercial) on 38.5 acres, including this property, as part of a larger request. The Planning Commission recommended approval of the request.                                                                                                                                                      |
| 05/12/88                                                                             | The Planning Commission approved a Plot Plan Review [Z-0057-87(1)] for a proposed shopping center on this site.                                                                                                                                                                                                                                                     |
| 06/17/92                                                                             | The City Council approved a request for a Special Use Permit (U-0084-92) for the sale of beer and wine in conjunction with an existing restaurant at 4750 West Sahara Avenue, Suite #23 and #24. The Board of Zoning Adjustment recommended approval.                                                                                                               |
| 08/05/92                                                                             | The City Council granted an appeal, approving a request for a Special Use Permit (U-0126-92) for five (5) slot machines in addition to the existing fifteen (15) slot machines for a total of twenty (20) slot machines in conjunction with an existing grocery store at 4610 West Sahara Avenue. The Board of Zoning Adjustment denied the request.                |
| 12/16/92                                                                             | The City Council approved a request for a Special Use Permit (U-0281-92) for a Service Bar in conjunction with a proposed restaurant at 4604 West Sahara Avenue. The Board of Zoning Adjustment recommended approval.                                                                                                                                               |
| 07/21/93                                                                             | The City Council approved a request for a Special Use Permit (U-0108-93) for the sale of beer and wine within a proposed restaurant at 4712 West Sahara Avenue, and Special Use Permit (U-0107-93) for the sale of beer and wine within a proposed restaurant at 4760 West Sahara Avenue. The Board of Zoning Adjustment recommended approval of both applications. |
| 05/18/94                                                                             | The City Council approved a request for a Special Use Permit (U-0063-94) for a Supper Club at 4760 West Sahara Avenue. The Board of Zoning Adjustment recommended approval.                                                                                                                                                                                         |

|                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/09/97                                                   | The City Council approved a request for a Special Use Permit (U-0031-97) for Second Hand Sales at 4624 West Sahara Avenue. The Planning Commission recommended approval.                                                                                                                                                                                                                                                            |
| 01/26/98                                                   | The City Council approved a request for a Special Use Permit (U-0127-97) for Second Hand jewelry sales in conjunction with an existing jewelry store at 4624 West Sahara Avenue. The Planning Commission recommended approval.                                                                                                                                                                                                      |
| 10/01/03                                                   | The City Council denied a request for a Special Use Permit (SUP-2655) for a proposed Financial Institution, Specified at 2121 South Decatur Boulevard, Suite #2. The Planning Commission recommended approval of the request.                                                                                                                                                                                                       |
| 11/05/03                                                   | The City Council approved a request for a Special Use Permit (SUP-2987) for a Secondhand Dealer Use on 29.40 acres at 4750 West Sahara Avenue Suite #1. The Planning Commission recommended approval of the request.                                                                                                                                                                                                                |
| 03/16/05                                                   | The City Council approved a request for a Special Use Permit (SUP-4930) for a proposed Financial Institution, Specified and for waivers of the 1,000-foot distance separation requirement between similar uses, the 200-foot distance separation form residential uses and the 1,500 square-foot minimum floor area requirement at 4750 West Sahara Avenue, Suite #29. The Planning Commission recommended approval of the request. |
| 04/06/05                                                   | The City Council approved a request for a Special Use Permit (SUP-5910) for a proposed Secondhand Dealer at 4704 West Sahara Avenue, Suite #1. The Planning Commission recommended approval of the request.                                                                                                                                                                                                                         |
| 05/28/09                                                   | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #28/jb).                                                                                                                                                                                                                                                                                                                                                    |
| <b>Related Building Permits/Business Licenses</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 01/04/01                                                   | A building permit (#1000200) was issued for a Tenant Improvement at 4726 West Sahara Avenue. This permit was finalized on 01/19/01.                                                                                                                                                                                                                                                                                                 |
| 02/02/01                                                   | A building permit (#1001767) was issued for a Wall Sign at 4726 West Sahara Avenue. This permit was finalized on 08/04/01.                                                                                                                                                                                                                                                                                                          |
| 03/25/04                                                   | A business license (J01-01810) was issued for Jewelry Sales at 4726 West Sahara Avenue. This license is still active.                                                                                                                                                                                                                                                                                                               |
| <b>Pre-Application Meeting</b>                             |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 02/23/09                                                   | A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Secondhand Dealer use were discussed topics included: <ul style="list-style-type: none"> <li>• Minimum Special Use Permit Code Requirements</li> <li>• Application Materials and Documents</li> <li>• Meeting Dates and Deadlines</li> </ul>                                                                          |
| <b>Neighborhood Meeting</b>                                |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| A neighborhood meeting was not required, nor was one held. |                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                    |                                                                              |
|--------------------|------------------------------------------------------------------------------|
| <b>Field Check</b> |                                                                              |
| 04/21/09           | During a routine field check staff observed a well maintained retail center. |



| <b><i>Details of Application Request</i></b> |       |
|----------------------------------------------|-------|
| <b><i>Site Area</i></b>                      |       |
| Gross Acres                                  | 29.40 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b>                          | <b>Existing Zoning</b>                            |
|-----------------------------|--------------------------|--------------------------------------------------|---------------------------------------------------|
| Subject Property            | Shopping Center          | SC (Service Commercial)                          | C-1 (Limited Commercial)                          |
| North                       | Automobile Dealership    | GC (General Commercial)                          | C-2 (General Commercial)                          |
|                             | US Post Office           | PF (Public Facilities)                           | C-1 (Limited Commercial)                          |
|                             | Multi-Family Residences  | M (Medium Density Residential)                   | R-3 (Medium Density Residential)                  |
| South                       | Automobile Dealership    | CG (Commercial General) Clark County Designation | C-2 (General Commercial) Clark County Designation |
|                             | Shopping Center          | CG (Commercial General) Clark County Designation | C-2 (General Commercial) Clark County Designation |
| East                        | Shopping Center          | SC (Service Commercial)                          | C-1 (Limited Commercial)                          |
|                             | Multi-Family Residences  | M (Medium Density Residential)                   | R-3 (Medium Density Residential)                  |
| West                        | Automobile Dealership    | GC (General Commercial)                          | C-2 (General Commercial)                          |
|                             | Office                   | SC (Service Commercial)                          | C-1 (Limited Commercial)                          |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---------------------------------------------------|-------------------|------------------|--------------------------|
| <b>Special Area Plan</b>                          |                   | X                | N/A                      |
| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>      |                   | X                | N/A                      |
| <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                | N/A                      |

## 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 |            |
| Shopping Center     | 336,829sf                           | 1:250         | 1,325   | 23           | 1,363    | 45           | Y          |
| TOTAL               |                                     |               | 1,348   |              | 1,408    |              |            |

## ANALYSIS

This request is for a Special Use Permit for a proposed Secondhand Dealer use to be located within an existing 1,242 square-foot Jewelry Store on 29.40 acres at 4726 West Sahara Avenue. The applicant has indicated that they will be buying and selling gold, silver and other gems which is consistent with the Secondhand Dealer use defined in Title 19.04. The applicant has indicated that the proposed hours of operation will be from 10:00 a.m. to 5:00 p.m. The subject site is an existing Jewelry Store and is located within an existing shopping center capable of accommodating a variety of uses. The addition of a Secondhand Dealer within this center is compatible with the existing and future land uses, and all on-site parking requirements have been met for the proposed use. Therefore, staff recommends approval.

## 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 land use is compatible with the SC (Service Commercial) General Plan designation and is located within an existing shopping center. The 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 Secondhand Dealer use will be in conjunction within an existing shopping center, which is physically suitable for the type and intensity of the land use proposed.

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.**

Site access is provided from West Sahara Avenue and South Decatur Boulevard, both of which are 100-foot Primary Arterials, as designated in the Master Plan of Streets and Highways. These streets provide adequate access to and from the subject property.

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 this special use permit will not compromise public health, safety, or welfare as the proposed Secondhand Dealer use will be subject to regular inspections.

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

The proposed Secondhand Dealer use complies with the conditions per Title 19.04.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 13

**ASSEMBLY DISTRICT** 42

**SENATE DISTRICT** 11

**NOTICES MAILED** 273 by City Clerk

**APPROVALS** 0

**PROTESTS** 0