



AGENDA MEMO

CITY COUNCIL MEETING OF: SEPTEMBER 16, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - RQR-34160 - APPLICANT/OWNER: CECILE PROPERTIES, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-2/rt/gf vote) recommends APPROVAL, subject to conditions.

Planning and Development

1. There shall be a one-year administrative review.
2. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Secondhand Dealer use.
3. Conformance to the conditions for Special Use Permit (SUP-27082).

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of an approved Special Use Permit (SUP-27082) for a Secondhand Dealer use at 420 East Sahara Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</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.
11/16/04	A Code Enforcement case (#23820) was processed for a sign violation involving a banner in front of the building at 420 East Sahara Avenue Code Enforcement closed the case 03/27/07.
05/07/08	The City Council approved a Special Use Permit (SUP-27082) for a proposed Secondhand Dealer use at 420 East Sahara Avenue. The Planning Commission recommended approval of the request.
08/13/09	The Planning Commission voted 5-0-2/rt/gf to recommend APPROVAL (PC Agenda Item #11/jb).
<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). The permit expired on 09/21/96.
03/21/96	A building permit (#96005465) was issued for a single face sign at 420 East Sahara Avenue. The permit expired on 09/21/96.
07/07/08	A business license (#S26-00020) was issued for a Secondhand Dealer at 420 East Sahara Avenue. The license is still active.
10/16/08	A building permit (#123284) was issued for a Tenant Improvement at 420 East Sahara Avenue. The permit was finalized on 11/18/08.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nr was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
05/07/09	A field check was conducted and found that the parking lot at this facility requires re-stripping to conform to the site plan dated stamped 03/04/08 associated with Special Use Permit (SUP-27082). In addition, the two trees presently on the south side of the property are 15-gallon trees, not the required 24-inch box trees, nor are they in the correct location, as was approved by Special Use Permit (SUP-27082)
05/26/09 & 07/09/09	A field check was conducted and found that 24-inch box trees were installed, however they are not in the correct location indicated in Special Use Permit (SUP-27082). Also, the parking lot at this facility is still not in conformance with Condition #5 of the original Special Use Permit (SUP-27082), which required the parking lot to conform to the site plan dated stamped 03/04/08. The applicant has indicated that they will submit a Review of Condition application in the near future to amend this Condition.

<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	Secondhand Dealer (The Gold Exchange)	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 designation)
East	Financial Institute, Specified (Star Loan Center)	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office, General Retail	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
Special Districts/Zones	Yes	No	Compliance
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	N/A

ANALYSIS

This is the first Required Review since the initial approval of the Special Use Permit (SUP-27082) for a Secondhand Dealership at 420 East Sahara Avenue. The existing business purchases and sells antique jewelry, coins, flatware and other precious metals. A research of the business license history reveals the jewelry store has a valid license for the intended use with no Metro incidents noted. Since the original approval of the Special Use Permit, there has been little to no tangible redevelopment in the surrounding area.

FINDINGS

The subject site is located in a C-2 (General Commercial) zoning district. The area surrounding the business is in good condition. During a routine site inspection Staff determined that the site was not in conformance with Condition number 5 of the previously approved Special Use Permit (SUP-27082) which state:

5. Parking lot shall be re-stripped to conform to the site plan date stamped 03/04/08.

As the current site fails to comply with the conditions of approval of Special Use Permit (SUP-27082), staff cannot support this application and is recommending denial.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 512 by City Clerk

APPROVALS 4

PROTESTS 11