

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: JUNE 2, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: CHECK CITY - OWNER: CONSTRUCTION GROUP, INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 19, 2010 CITY COUNCIL MEETING AT THE REQUEST OF THE COUNCIL.

**** STAFF RECOMMENDATION(S) ****

The Planning Commission (5-0 vote) and Staff recommend APPROVAL, subject to conditions:

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37625	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

SUP-37625 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III 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, 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 Page One
June 2, 2010- City Council Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 2,010 square-foot Auto Title Loan at 5861 West Craig Road, Suite #104. The use will allow the option to buy broken or discarded gold jewelry on premise. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for gold. Staff recommends approval of this request, as the proposed use meets all minimum Special Use Permit requirements, and can be conducted in a manner that is compatible with the surrounding uses. If denied, the existing Auto Title Loan would remain as it is.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/07/90	The City Council approved a request for a Reclassification (Z-0140-89) of property located on the southeast corner of Jones Boulevard and Craig Road from R-E (Residential Estates) to C-1 (Limited Commercial) for a proposed shopping center with bank. The Planning Commission recommended approval.
01/17/01	The City Council approved a request for a request for a Site Development Plan Review [Z-0140-89(11)] and a waiver of the required landscaping for a proposed 6,800 square-foot retail building. The Planning Commission recommended denial whereas staff recommended approval.
01/22/03	The City Council approved a revised ordinance establishing Financial Institution, Specified use and to provide for other related matters.
04/22/10	The Planning Commission (5-0 vote) recommended APPROVAL (PC Agenda Item #14/ao).

<i>Most Recent Change of Ownership</i>	
04/21/00	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
04/04/01	A building permit (#1005706) was issued for on-site improvements and hardscapes at 5861 West Craig Road. The permit expired on 04/04/01.
07/13/01	A building permit (#1012806) was issued for tenant improvement for a certificate of occupancy at 5861 West Craig Road, Suite #104. The project was completed on 10/17/01.
11/28/01	A business license application (C21-00102) was submitted for check cashing and deferred deposit at 5861 West Craig Road, Suite #104. The license was inactive on 08/05/09.

Staff Report Page Two
June 2, 2010- City Council Meeting

09/10/10	A business license application (N02-00106) was submitted for deferred deposit and auto title loan at 5861 west Craig Road, Suite #104. The license is still active.
----------	---

Pre-Application Meeting

02/25/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. The topics included: • The applicant needed to revise the site plan, indicating the size of the building and size of the current suite location. The parking analysis should be incorporated onto the site plan and the site plan should show the entire shopping center. • The applicant needed to revise the justification letter to include the address location with a suite number, and the existing Financial Institution, Specified and Auto Title Loan square footage.
----------	---

Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.

Field Check

03/18/10	A site inspection was conducted by staff with the following observations: • The subject property was noted as a well maintained commercial development having illegal signage on the windows and above the entrance. The violation has been referred to Code Enforcement.
----------	--

Details of Application Request

Site Area

Net Acres	0.65
-----------	------

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping Center	S-C (Service Commercial)	C-1 (Limited Commercial)
North	Commercial Development	S-C (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	S-C (Service Commercial)	C-1 (Limited Commercial)

Staff Report Page Three
June 2, 2010- City Council Meeting

East	Shopping Center	S-C (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	S-C (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	Yes	No	Compliance
Master Plan Area			
Centennial Hills Sector Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Interlocal Agreement	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance			Y or N

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 19A, 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	73,850 SF	1:250	295		391		
TOTAL SPACES REQUIRED			303		399		
TOTAL (With Handicapped)			295	8	391	8	

ANALYSIS

A Jewelry Store, Class III use is defined by Title 19.20.020 as a “store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store.” The proposed use is within the guideline of the permissible use definition. The applicant will buy used jewelry as a way to acquire gold, but no resale of jewelry is involved. The use will be added to an existing Auto Title Loan use, which also allows activities of a Financial Institution Specified. The business was licensed prior to the City’s requirement for a Special Use Permit for an Auto Title Loan use. Because the proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, staff recommends approval.

Staff Report Page Four
June 2, 2010- City Council Meeting

FINDINGS (SUP-37625)

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 Jewelry Store, Class III use can be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties. The use is appropriate for the C-1 (Limited Commercial) zone.

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

The subject site is physically suitable for the type and intensity of the proposed use. There is adequate on-site parking for the proposed 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.

Site access is provided from Craig Road, a 120-foot Primary Arterial, and Jones Boulevard, a 100-foot Primary Arterial as designated in the Master Plan of Street and Highways. These streets are of sufficient size to accommodate the needs of the proposed Jewelry Store, Class III 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.

The proposed use is consistent with the General Plan and will be subject to state and City of Las Vegas business and licensing requirements and will be monitored to ensure public safety and welfare is protected.

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

The proposed store complies with the Minimum Special Use Permit requirements for the use. There are no distance separation requirements for a Jewelry Store, Class III use.

Staff Report Page Five
June 2, 2010- City Council Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 151 (By City Clerk)

APPROVALS 0

PROTESTS 0