



City of Las Vegas

Agenda Item No.: 86.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 16, 2010**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: SUP-3757 ABEYANCE ITEM SPECIAL USE PERMIT - PUBLIC HEARING -
APPLICANT: CASH AMERICA/SOUTH DAWN - OWNER: FREMONT WEST, LLC - Request
for a Special Use Permit FOR A PAWN SHOP WITH WAIVERS TO ALLOW A 154-FOOT
DISTANCES FROM FRONT FROM A RESIDENTIALLY ZONED PROPERTY AND A 250-
FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED
WHERE 200 FEET AND 100 FEET, RESPECTIVELY, ARE REQUIRED at 307 South Decatur
Boulevard (APN 139-31-201-003), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff
recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

7

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL,
subject to conditions:

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcard
7. Submitted at Meeting Support Letters by Attorney Jennifer Lazovich and Correspondence by June Ingram, Juanita Clark and Betty Craik
8. Submitted after Meeting Recordation Notice of Council Action and Conditions of Approval
9. Backup referenced from the April 22, 2010 Planning Commission Meeting Item SUP-37576

Motion made by LOIS TARKANIAN to Approve subject to conditions amending Condition 5
and adding the following conditions:

5. There shall be a one-year administrative review regarding compliance with conditions of
approval after the issuance of the business license.

A. There shall be security cameras and security lighting on the exterior of the building and signs
shall be posted regarding the presence of those cameras.

B. The applicant shall remove the existing grease trap and wooden fence in the parking lot.

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C. The applicant shall replace landscaping materials in the existing parking lot planters to meet the number of trees and shrubs approved in the existing approved landscape plan of 8/29/79 within 90 days of issuance of the building permit and maintain the landscaping.

D. The landscape materials shall be approved by the Department of Planning and Development.

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2
RICKI Y. BARLOW, LOIS TARKANIAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None), (Abstain-None), (Did Not Vote-None), (Excused-STEVE WOLFSON, OSCAR B. GOODMAN)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY JENNIFER LAZOVICH, 8345 West Sunset Road, Suite 250, commented that the process for this project started months ago with the Meadows Neighborhood Preservation Association and the Councilwoman's office on whether the proposed use would fit in the neighborhood. After working closely with BETTY RASCH, THOMAS ZORA and ELVA DECKERT, members of the Meadows Neighborhood Preservation Association, who took the time to research the matter thoroughly, the Association concluded that it would like this business in its neighborhood.

ATTORNEY LAZOVICH described the building, in which more than \$600,000 will be invested toward improvements, that sits on the site where the former Sizzler Restaurant. She submitted letters of support from neighboring businesses, the Meadows Neighborhood Preservation Association and individual residents that live in the vicinity.

After working closely with COUNCILWOMAN TARKANIAN'S office, some additional conditions were crafted regarding a short wall that exists along the eastern boundary that separates the commercial center from the residential community. Super Pawn has agreed to work with the property owner on a solution to minimize or eliminate the ability for teenagers to come over that wall. Super Pawn intends to hold a job fair in the Meadows neighborhood area and will hire approximately 10-15 employees. The job fair should take place within 5-6 months, close to the opening of the store.

COUNCILMAN REESE regarded this project as redevelopment at its best because the Redevelopment Agency does not have to put up any money. He applauded BERRY BECKER for doing this. The Councilman noted that he has never had any problems with the two Super Pawn shops in his Ward. It is an outstanding operation.

JUNE INGRAM read and submitted a three-page document regarding research on how pawnshops are markets for stolen property. She pointed out that this is the third time a pawnshop has tried to come into this neighborhood and on this property. COUNCILMAN REESE could

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not recall any pawnshops wanting to do business on this property. Regarding MS. INGRAM'S concerns about pawnshops lending themselves to theft, COUNCILMAN BARLOW remarked that Nevada has some of the strictest laws for pawnshops.

JUANITA CLARK, Charleston Neighborhood Preservation, also read and submitted a document expressing concerns on this matter. MS. CLARK said that she does not live in the area, but a board member of Charleston Neighborhood Preservation does live nearby.

COUNCILMAN BOSS observed that many of the businesses are boarded up, which means the area is becoming a ghost town. It would be senseless to turn down this wonderful opportunity. MS. CLARK said the Charleston Preservation members are concerned about the investments made by the people that live to the immediate east. The residents would prefer some type of market on the site.

COUNCILMAN ANTHONY commented that when he was a police officer in detail, there were problems with pawnshops and stolen items, but the research presented by MS. INGRAM does not reflect the current pawnshop industry in Las Vegas, and Super Pawn knows how to stay away from stolen property.

TODD BARLOW conferred with COUNCILMEMBERS BOSS and ANTHONY. He observed that American society likes to do away with its throw-away attitude.

COUNCILWOMAN TARKANTIAN respected MS. CLARK for looking out for areas outside her neighborhood, but expressed concern because the Neighborhood Preservation representatives were reluctant in going on a tour with Super Pawn representatives, yet they complained to her office and disseminated handbills to residents urging them to contact the Councilwoman's office only if they had any issues. COUNCILWOMAN TARKANTIAN regarded this as skewing the facts and not gathering information objectively.

COUNCILWOMAN TARKANTIAN stated that she held meetings and walked door-to-door to query the residents' position on this project. One of the elderly couples indicated to her that they would rather not have a vacant business, but that the two women that went to the house scared them. Regarding MS. CLARK'S concern about Griffith Elementary, the Councilwoman said it is a wonderfully ran school with no gang problems.

BETTY CRAIK, President of Meadows Neighborhood Preservation Association, ELVA DECKER, THELMA ZORA and JOE MAVIGLIA expressed their support for Super Pawn. MS. CRAIK read and submitted a copy of the flyer distributed by representatives of Charleston Neighborhood Preservation in her neighborhood, as well as read a support letter from the Meadows Neighborhood Preservation Association. MS. DECKER stated that she would prefer a well-managed pawnshop to a tattoo parlor or a bar. MR. MAVIGLIA added that he replaced his plumbing tools from Super Pawn; it runs a good business.

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At the request of COUNCILMAN BARLOW, CAROLINE CIOCCA, Director of Operations for Super Pawn, described the process in place to identify stolen items.

MS. CLARK stated the registered boundaries of the Charleston Neighborhood Preservation Association for COUNCILMAN BARLOW.

COUNCILMAN BARLOW clarified with MARGO WHEELER, Director of Planning and Development, that the required distance separation for pawnshops is 1,000 feet from another financial institution and 200 feet from residential properties.

MS. CLARK stated that Charleston Neighborhood Preservation representatives did meet with ATTORNEY LAZOVICH, but they were not in support of this project at all. She explained that the flyer that was distributed was informational only.

ATTORNEY LAZOVICH rebutted that two women appeared at the meeting in opposition, but the Meadows Preservation Association representatives were in support.

COUNCILWOMAN TARKANIAN stated that with the new Sizzler, the landlord sought other tenants, but had difficulty attracting a restaurant, as desired by the immediate neighbors, because the area has deteriorated. During her walk in the neighborhood, she met a woman that was crying about not being able to find a job. She cited some statistics regarding the success of Super Pawn and the types of customers that visit. The building is going to be very attractive, and the Councilwoman felt that the distance from the residences is appropriate. The applicant is even willing to help make one of the fences higher, which she refers to as a friendship fence.

MS. WHEELER crafted additional conditions, with which ATTORNEY LAZOVICH agreed. COUNCILWOMAN TARKANIAN and ATTORNEY LAZOVICH discussed that the applicant will work with the Las Vegas Metropolitan Police Department on the best cameras to use for surveillance.

MAYOR PRO TEM REESE declared the Public Hearing closed.