



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: OCTOBER 19, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: FAST CASH TITLE LOAN - OWNER: ANDREA J AND SUSAN RUSSO

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-42657	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-42657 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Title Loan use.
2. Conformance to the approved conditions for Rezoning (Z-0068-95).
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant proposes an Auto Title Loan use within an existing 2,108 square-foot portion of a 7,040 square-foot building located at 6433 West Charleston Boulevard. The space is currently vacant with the last business being a Financial Institution, Specified. The subject location is appropriate for the intensity of the proposed use and the use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval of the Special Use Permit request, with conditions. If denied, the Auto Title Loan use would not be permitted at the subject location.

ISSUES

- An Auto Title Loan use is allowed in a C-1 (Limited Commercial) zone with an approved Special Use Permit.
- A Waiver is required to allow an Auto Title Loan use to be located 680 feet from another similar use where a minimum of 1,000-foot separation is required. Staff supports this request as the waivers are the same as those required for similar uses, such as a Financial Institution, Specified, and adding the Auto title Loan use will not significantly intensify the existing approved use.
- A Waiver is required to allow an Auto Title Loan use to be located zero feet from a residentially zoned property where a minimum of 200-foot separation is required. Staff supports this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
11/01/95	The City Council approved Rezoning (Z-0068-95) to C-1 (Limited Commercial) as part of a larger request. The Planning Commission and staff recommended approval of the application.
10/04/06	The City Council approved a request for a Special Use Permit (SUP-15404) for a proposed Financial Institution, Specified and a Waiver of the 1,000-foot distance separation requirement from another Financial Institutions, Specified at 6433 West Charleston Boulevard. The Planning Commission and staff recommended approval.
09/13/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 25/yk).

YK

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<i>Most Recent Change of Ownership</i>	
11/25/09	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
01/02/07	A Business License (N02-00081-F-129926) was issued for a Non-depository Lender at 6433 West Charleston Boulevard. Expired on 05/23/11.
01/02/07	A Business License (W10-00122-K-129926) was issued for Wire Transfer at 6433 West Charleston Boulevard. Expired on 07/12/11.
08/31/09	A Business License (M06-03084-2-129926) was issued for Money Order Sales at 6433 West Charleston Boulevard. Expired on 07/12/11.
05/19/11	A Business License (N02-92574-E-154661) was applied for a Non-depository Lender at 6433 West Charleston Boulevard. License is on hold pending Special Use Permit approval.

<i>Pre-Application Meeting</i>	
07/20/11	Staff reviewed the requirements for a Special Use Permit for an Auto Title Loan business application. It was noted that two Waivers will be required for distance separation requirements.

<i>Neighborhood Meeting</i>	
No neighborhood meeting was required, nor was one held.	

<i>Field Check</i>	
08/04/11	Staff conducted a field check of the site and found a well maintained property with a retail building. The eastern two-thirds of the building is occupied with a retail phone service outlet. The western third of the building is currently vacant and will be the location of the Auto Title Loan business upon approval of a Special Use Permit.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.79

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
	General Retail, Other Than Listed (More than 3500 Square Feet)		
North	Thriftshop	SC (Service Commercial)	C-1 (Limited Commercial)
South	Convalescent Care Facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail, Other Than Listed (3500 Square Feet or More)	SC (Service Commercial)	C-1 (Limited Commercial)
West	Car Wash, Full Service or Auto Detailing	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
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		X	N/A

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y

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Pursuant to Title 19.08 and 19.12, 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	
Auto Title Loan	2,108 SF	1 space per 250 SF	9				
General Retail Store, Other Than Listed (3500 SQ FT or more)	4,932 SF	1 space per 175 SF	29				
TOTAL SPACES REQUIRED			38		35		N *
Regular and Handicap Spaces Required			36	2	33	2	N

- Per Title 19 the site is parking impaired.

Waivers		
Requirement	Request	Staff Recommendation
To have a minimum distance separation of 1,000 feet from another Auto Title Loan, Pawn Shop or Specified Financial Institution location.	To have a minimum distance of 680 feet from another Auto Title Loan, Pawn Shop or Specified Financial Institution location.	Approval
To have a minimum distance separation of 200 feet from a parcel zoned for residential use.	To have a minimum distance of zero feet from a parcel zoned for residential use.	Approval

ANALYSIS

The subject site is designated as SC (Service Commercial) on the Southwest Sector Plan map of the General Plan. The SC (Service Commercial) designation allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. The current C-1 (Limited Commercial) zoning district that applies to the subject site is in conformance with the current SC (Service Commercial) General Plan designation. A Financial Institution, Specified use is allowed upon approval of a Special Use Permit in the C-1 (Limited Commercial) zoning district.

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The applicant notes that the type of service to be provided at the subject site is unique and in high demand in the area. A Waiver of the 1,000 foot distance separation requirement from another Financial Institution, Specified located approximately 680 feet to the east at 6310 West Charleston Boulevard is required. Staff supports the Waiver, as the previous business at this site was a financial institution, Specified business and was also granted similar Waivers when approved. The proposed Auto Title Loan doesn't significantly intensify the use of the site.

FINDINGS (SUP-42657)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 addition of an Auto Title Loan use within this area is compatible with the existing and future land uses as specified by the General Plan.

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

The addition of this use will not significantly intensify the use of the site; therefore, the subject site is physically suitable to accommodate 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 Charleston Boulevard, a 100-foot Primary Arterial, as designated in the Master Plan of Streets and Highways. This street is adequate in size to meet the requirements of the proposed Auto Title Loan 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 site will be subject to permitting, annual inspections and licensing by the City of Las Vegas, and will not compromise the public health, safety, and welfare, or the overall objectives of the General Plan.

5.The use meets all of the applicable conditions per Title 19.12.

The use requires two distance separation Waivers to meet Title 19.12 conditions.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 263 (By City Clerk)

APPROVALS 0

PROTESTS 0