



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-37362 - APPLICANT: CASH AMERICA/SUPER PAWN
- OWNER: NORTSHORE PLAZA, LLC**

**** CONDITIONS ****

Staff recommends DENIAL, if approved subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Pawn Shop 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.

SUP-37362 - Staff Report Page One
March 25, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Pawn Shop within a portion of an existing building with waivers to allow a zero-foot distance separation from residentially zoned property and a Financial Institution, Specified where 200 feet and 1000 feet, respectively, are required at 8400 West Cheyenne Avenue. The proposed Pawn Shop use will occupy 9,650 square feet of the building space with a 2,900 square-foot outdoor patio. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is compatible with the surrounding land uses, as is evidenced by the requested waivers of distance separation requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
03/16/94	The City Council approved a request for a General Plan Amendment (GPA-0004-94 from ML (Medium Low Density Residential) to SC (Service Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval
03/16/94	The City Council approved a request for Reclassification of Property (Z-0007-94) from N-U (Non-Urban) to R-PD8 (Residential Planned Development) and C-1 (Limited Commercial) on the northeast corner of Durango Drive and Cheyenne Avenue. The Planning Commission recommended approval.
09/14/95	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0007-94(3)] for a proposed retail shopping center located on the northwest corner of Cheyenne Avenue and Soaring Gulls Drive. Planning and Development recommended approval.
<i>Related Building Permits/Business Licenses</i>	
09/16/96	A building permit (#9618721) was issued for a retail building at 8400 West Cheyenne Avenue. The project was completed on 02/10/97.
09/26/03	A building permit (#03020713) was issued for a Non-Work Certificate of Occupancy at 8400 West Cheyenne Avenue. The project was completed on 10/2/03.
10/06/03	A business license (F07-01794) was issued for a Furniture Store at 8400 West Cheyenne Avenue. The license was marked out of business on 06/26/09.

SUP-37362 - Staff Report Page Two
March 25, 2010 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
01/25/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Pawn Shop were discussed. The topics included: • The submittal of application materials, meeting dates, and deadlines were discussed. • Provide floor plan upon submittal of Special Use Permit application. • Revise Site Plan to include building size with parking calculations. • Waiver for the 200-foot residential use and the 1000-foot distance separation requirement from Financial Institution, Specified use.

<i>Neighborhood Meeting</i>	
03/15/10	A neighborhood meeting is to be held at 6:00 pm at the Durango Hills Community Center YMCA located at 3521 North Durango Drive Las Vegas, Nevada 89129.

<i>Field Check</i>	
02/18/10	The retail building is vacant and well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.74

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Service Station with Convenience Store and Self Service Car Wash	SC (Service Commercial)	C-1 (Limited Commercial)

SUP-37362 - Staff Report Page Three
March 25, 2010 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</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
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		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	155,663 SF	1:250 SF	610	13	577	23	
TOTAL			623		600		N

ANALYSIS

This is a request for a Special Use Permit for a Pawn Shop use within a portion of an existing 21,733 square-foot building. The Northshore Plaza Shopping Center is a parking impaired site. The Site Plan indicated 623 parking spaces are required, whereas only 600 parking spaces are provided. The approved civil plans for this commercial center illustrate 600 parking spaces. The Shopping Center parking requirement is one space per 250 square feet and the proposed use does not require additional parking spaces over the previous retail furniture store use.

The minimum Special Use Permit requirements for the proposed use are a 200-foot distance separation from adjacent residential property and a 1000-foot distance separation from a Financial Institution, Specified use. The applicant has requested waivers of these requirements. Due to the waiver request, the proposed use is not compatible with this commercial center and the surrounding area; therefore, staff recommends denial of this request.

SUP-37362 - Staff Report Page Four
March 25, 2010 - Planning Commission Meeting

FINDINGS

The following findings must be made for a Special Use Permit:

- 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 Pawn Shop use cannot be conducted in a manner that is harmonious and compatible with the existing site due to the waiver requests to allow a zero-foot distance separation from residential property and Financial Institution, Specified use.

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

The proposed use is located directly adjacent to a residential property and a Financial Institution Specified use is located within the same shopping center. The subject site does not meet the minimum standards set forth in Title 19.04 for a Pawn Shop within a C-1 (Limited Commercial) zoned property. The subject site is not physically suitable for the intensity of the proposed land use, due to the need for waivers of Title 19.04 standards.

- 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 Cheyenne Avenue and Durango Drive, both 100-foot Primary Arterials as designated in the Master Plan of Streets and Highways. These streets are adequate in size to accommodate the proposed Pawn Shop 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.”**

Approval of the proposed Special Use Permit will not be inconsistent with or compromise the public health, safety and general welfare as the use will be subject to regular inspections for business licensing.

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

The proposed Pawn Shop use does not comply with the minimum Special Use Permit requirements. The proposed use will be located within 200 feet of a parcel used or zoned for residential use. In addition, the use will be located within 1,000 feet of a Financial Institution, Specified use. A waiver has been requested from these requirements.

SUP-37362 - Staff Report Page Five
March 25, 2010 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 845

APPROVALS 0

PROTESTS 11