City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 25, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-37383 - APPLICANT: CASH1 - OWNER: GWHC NEVADA, LLC

** CONDITIONS **

Staff recommends APPROVAL, subject to conditions:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Auto Title Loan 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.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to add an Auto Title Loan Establishment use within an existing 1,368 square-foot Financial Institution, Specified located at 8450 West Sahara, Suite #114. Waivers have been requested as part of this review to allow a 780-foot distance separation requirement from another financial institution where 1,000 foot is required, a zero-foot distance separation requirement from a parcel zoned for residential use where 200 feet is required, and a minimum building area of 1,368 square feet where 1,500 square feet is required for an Auto Title Loan use. Staff recommends approval of the Waivers and the Special Use Permit, as the distance separation requirements are the same as for the existing Financial Institution, Specified. If this request is denied, the site will remain as a Financial Institution, Specified.

ISSUES

- The applicant has been operating and conducting an Auto Title Loan use without a permit or license.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales	
01/03/90	The City Council approved a Rezoning and Site Development Plan Review (Z-0128-89) application for the reclassification of property located on the northwest corner of Sahara Avenue and Al Carrison Street from N-U (Non-Urban) to C-1 (Limited Commercial) for the proposed use of retail commercial and an indoor/outdoor sports facility. The Planning Commission and staff both recommended approval.
02/08/96	The Planning Commission approved a Site Development Plan Review [Z-0128-89(6)] for proposed retail stores on property located on the north side of Sahara Avenue, east of Durango Drive. The Planning Commission and staff both recommended approval.
07/18/01	The City Council approved a Special Use Permit (U-0063-01) application for secondhand sales in conjunction with a proposed children's apparel at 8450 West Sahara Avenue. The Planning Commission and staff both recommended approval.
03/17/03	A deed was recorded for change of ownership.

11/03/04	The City Council denied a request for a Special Use Permit (SUP-5067) with waivers of the required 1,000-foot separation distance from similar uses, the 200-foot separation distance from residential uses and a minimum 1,500 square -foot floor area for a proposed Auto Title Loan Establishment at 8450 West Sahara Avenue, Suite # 114. The Planning Commission recommended approval, but staff recommended denial.
08/17/05	The City Council approved a request for a Special Use Permit (SUP-6807) for a Liquor Establishment (Package Liquor) off-sale at 8450 West Sahara Avenue, Suite #117. The Planning Commission and staff recommended denial
Related Building Permits/Business Licenses	
12/10/97	A building permit (#97024614) was issued for an office building at 8450 West Sahara. The project was completed on 11/20/98.
12/10/97	A building permit (#97024615) was issued for onsite improvements at 8450 West Sahara. The project was completed on 12/02/98.
03/09/98	A building permit (#98004753) was issued for a new building at 8450 West Sahara. The permit expired on 02/05/00.
07/30/99	A building permit (#99015158) was issued for tenant improvement remodel at 8450 West Sahara Suite #114. The project was completed on 08/17/99.
08/02/99	A building permit (#99015282) was issued for tenant improvement at 8450 West Sahara Suite #114. The project was completed on 08/17/99.
11/05/99	A building permit (#99021375) was issued for tenant improvement build out at 8450 West Sahara Suite #114. The project completed on 11/24/99.
11/29/99	A business license (N02-00093) was issued for non depository lender at 8450 West Sahara Suite #114. The license is still active.
11/29/99	A business license (F14-92965) was issued for an Auto Title Loan at 8450 West Sahara Suite #114. The license was marked out of business on 11/29/08.
01/12/06	A business license (F02-00293) was issued for an installment loan establishment at 8450 West Sahara Suite #114. The license was marked out of business on 05/05/07.
04/17/07	A building permit (#7001261) was issued for tenant improvement at 8450 West Sahara Suite #114. The project was completed on 11/15/07.

Pre-Application Meeting	
01/19/10	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for an Auto Title Loan use were discussed. Topics included: • The requirements for a Project of Regional Significance, because the site is within one-half mile of the City boundary with Clark County. The distance separation requirement from a residential use. • A waiver would be required to allow an Auto Title Loan to be closer than 1,000 feet from any other Auto Title Loan, Auto Pawn use or specified financial institution use. • A waiver would also be required to allow the square footage of the suite to be less than 1,500 square feet.
Neighborhood Meeting	
A neighborhood meeting is not required for this application, nor was one held.	
Field Check	
02/18/10	During a routine site inspection performed by staff, the subject property was noted as a well maintained commercial development.

Details of Application Request	
Site Area	
Gross Acres	1.79

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Town homes	M (Medium Density Residential)	R-PD13 (Residential Planned Development – 13 Units Per Acre)
South	Clark County	Clark County	Clark County
East	Commercial Center	M (Medium Density Residential)/ SC (Service Commercial)	R-PD19 (Residential Planned Development – 19 Units Per Acre)/ C -1 (Limited Commercial
West	Office	M (Medium Density Residential)/ SC (Service Commercial)	R-PD13 (Residential Planned Development – 13 Units Per Acre)/ C -1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
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		Y

DEVELOPMENT STANDARDS

Parking Requirement							
	Gross Floor Area or Number of Units	*Required*			*Provided*		*Compliance*
			Parking		*Parking*		
Use		*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	29,250 SF	1:250	113		95		Y
SubTotal			113	4	83	8	
TOTAL	**29,250 SF**		**117**		**91**		**Y***

*Per Title 19.16.030, the subject site is parking impaired. The proposed use will not increase the parking requirement for the site.

Pursuant to Title 19.08.060, the following distance separation standards apply:

Distance Separation Requirements	*Required/Allowed*	*Provided*	*Compliance*
• East	200 Feet	780 Feet	N
• West	200 Feet	887 Feet	N

Waivers		
Requirement	**Request**	**Staff Recommendation**
Per Title 19.04 the use may not be located within 200 feet of any parcel zoned for residential use.	To allow a zero-foot distance separation from any parcel zoned for residential use.	Approval
Per Title 19.04 the use may not be located closer than 1,000 feet from any other auto title loan use, auto pawn use or specified financial institution use.	To allow a zero-foot distance separation from any other auto title loan use, auto pawn use or specified financial institution use.	Approval

Per Title 19.04 the building or portion thereof that is dedicated to be the use shall have a minimum size of 1,500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space.	To allow a 1,368 square-foot suite.	Approval

ANALYSIS

This is a request for a proposed Auto Title Loan use to be added to an existing non-conforming Financial Institution, Specified. An Auto Title Loan use is defined as "a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself." The suite encompassing the use is 1,368 square feet and contains a customer counter and waiting area, office space, a storage room and a rest room. The hours of operation are from 8:00 a.m. to 9:00 p.m. Monday through Saturday and 11:00 a.m. to 5:00 p.m. on Sundays.

The existing Financial Institution, Specified is non-conforming per Title 19.16.030 as the use was established prior to the requirement for a Special Use Permit in 2003. The minimum Special Use Permit Requirement pertaining to distance separation minimum floor area and parking for an Auto Title Loan use are identical to the requirements for a Financial Institution, Specified use. The addition of an Auto Title Loan use will not increase the intensity or non-conformity of the use. Therefore, staff recommends approval.

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 use is in addition to an existing non-conforming Financial Institution, Specified. 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 subject site is currently operated as a Financial Institution, Specified. Similar related uses are common in this area of the City. The addition of this use will not intensify the physical requirements; 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 Sahara Avenue, 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 19.04.

The use does not meet all applicable conditions of Title 19.04; however, the addition of an Auto Title Loan use to an existing non-conforming Financial Institution, Specified will not increase the intensity or non-conformity of the use.

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