

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 22, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: RAPID CASH - OWNER: RESORT HOLDINGS I, LLC**

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37617	Staff recommends APPROVAL, subject to conditions:	



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PLANNING COMMISSION MEETING DATE: APRIL 22, 2010

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**** CONDITIONS ****

SUP-37617 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III use.
2. Conformance to the approved conditions for Special Use Permit (SUP-19121).
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. 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

This is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 2,409 square-foot Auto Title Loan Establishment at 7460 West Cheyenne Avenue, Suite #110. 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 Establishment would remain as it is.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
07/19/89	The City Council approved the request for reclassification (Z-0061-89) of the property located on the north side of Cheyenne Avenue, between Buffalo Drive and Tenaya Way, From: R-E (Residence Estates) To: C-1 (Limited Commercial). Planning Commission recommended approval, whereas staff recommended denial.
07/13/06	The Planning and Development Department administratively approved a request for a Site Development Plan Review (SDR-13664) for a proposed 3,500 square-foot commercial building on 0.39 acre on the north side of Cheyenne Avenue, approximately 195 feet east of Buffalo Drive.
03/21/07	The City Council approved a request for a Special Use Permit (SUP-19121) for an Auto Title Loan Establishment at 7460 West Cheyenne Ave. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
02/23/06	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
12/15/06	A building permit (#06007386) was issued for a Retail building at 7460 West Cheyenne Avenue. The project was completed on 11/05/07.
09/20/07	A building permit (#92962) was issued for tenant improvement for an Auto Title Loan and Financial Institution, Specified at 7460 West Cheyenne Avenue #110. The project was completed on 02/23/09.

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<i>Pre-Application Meeting</i>	
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 submittal of application, materials, meeting dates, and deadlines were discussed at the pre-application meeting. • Revision of the site plan indicating the size of building and to include the entire shopping center. A parking analysis of the entire shopping center is required. • Revision of the floor plan because the texts were hard to read. • A Project of Regional Significance form was required upon submittal. • Revision of the justification to include suite number with the address indicated.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

<i>Field Check</i>	
03/18/10	A temporary banner sign posted at the façade of the building over the suite of the proposed use facing Cheyenne Avenue without a permit was observed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.39

<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	Auto Title Loan Establishment / Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	Mini Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)
South	Library (Public)	PF (Public Facility)	C-V (Civic)
East	Mortuary or Funeral Chapel	SC (Service Commercial)	C-1 (Limited Commercial)
West	Convenience Store/Service Station	SC (Service Commercial)	C-1 (Limited Commercial)

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Master Plan Areas	Yes	No	Compliance
Master Plan Area		X	N/A
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 feet)	X		Y
Trails	X		Y
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		Y

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	32,500 SF	1:250 SF	138		178		
TOTAL SPACES REQUIRED			138		178		
TOTAL (With Handicapped)			133	5	170	8	

ANALYSIS

This is a request for a Special Use Permit for a Jewelry Store, Class III use within an existing 2,409 square-foot Auto Title Loan Establishment at 7460 West Cheyenne Avenue, Suite #110. 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 the jewelry is involved.

The subject site contains 178 spaces, which can accommodate the proposed use on the site, where 138 parking spaces are required. The proposed use is compatible with the surrounding uses. Therefore, staff recommends approval.

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FINDINGS

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 harmonious and compatible manner with the uses in the existing site and with the commercial uses on adjacent properties.

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. There is adequate amount of parking within the shopping center. The proposed use will be operated in conjunction with the existing business.

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, 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 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.

Approval of the proposed Special Use Permit will not 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 use complies with the minimum Special Use Permit requirements. There are no distance separation requirements for a Jewelry Store, Class III use.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 14

NOTICES MAILED 480

APPROVALS 0

PROTESTS 2