

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: APRIL 22, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: CHECK CITY - OWNER: ALECO ENTERPRISES, INC.**

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37626	Staff recommends APPROVAL, subject to conditions:	

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SUP-37626 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-19645) and (SDR-19648).
3. All unpermitted signage and signage not meeting the requirements of Title 19 shall be removed within 10 days of final approval.
4. 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.
5. 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 application is a request for a Special Use Permit to add a Jewelry Store, Class III use within an existing 3,509 square-foot Auto Title Loan Establishment at 631 North Nellis Boulevard. The use will allow the option to buy broken or discarded gold jewelry on the premises. There is no resale of the jewelry; it is not a loan, but a purchase of the jewelry for the 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.

ISSUES

- The business contains various unpermitted window signs in violation of Minimum Special Use Permit Requirement # 4.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/06/72	The City Council approved a Rezoning (Z-0062-72) from R-E (Residence Estates) to C-1 (Limited Commercial) on approximately 10 acres on the northwest corner of Bonanza Road and Nellis Boulevard. Planning Commission and staff recommended approval.
08/10/78	The Planning Commission considered a request for a Plot Plan Review (Z-0062-72) to allow a shopping center on property located at the northwest corner of Nellis Boulevard and Bonanza Road. Planning Commission and staff recommended approval.
04/18/07	The City Council approved a Special Use Permit (SUP-19645) for an Auto Title Loan and Financial Institution, Specified, with a Waiver to allow a distance separation of 60 feet from residential zoned property where 200 feet is required and a Waiver to allow a distance separation of 100 feet from an existing financial institution, specified where 1,000 feet is required at 631 North Nellis Boulevard. Planning Commission and staff recommended approval.
04/18/07	The City Council approved a Major Amendment (SDR-19648) to approved Site Development Plan/Plot Plan Review (Z-0062-72) for a 1,500 square foot addition to an existing 2,009 square foot commercial building with drive-through to be sited within an existing shopping center on a 4.56 acre parcel located at 631 North Nellis Boulevard. Planning Commission and staff recommended approval.

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<i>Most Recent Change of Ownership</i>	
02/27/97	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
12/07/01	A building permit (#01021239) was issued for Certificate of Occupancy for office building at 631 N. Nellis Boulevard. The permit was finalized 4/02/02.
09/11/01	A business license (C21-01122) was issued for a Non-Depository Lender at 631 North Nellis Boulevard. The license was marked out of business on 8/05/09.
08/20/02	A business license (N02-00105) was issued for a Non-Depository Lender and Auto Title Loan business at 631 North Nellis Boulevard.
11/01/07	A building permit (#07003121) was issued for Certificate of Completion for a 1,500 square-foot office building addition with drive-through at 631 N. Nellis Boulevard. The permit was finalized 6/25/08.
07/09/08	A building permit (#118085) was issued for a Tenant Improvement at 631 North Nellis Boulevard. The permit was finalized 1/02/09.
05/28/09	A business license (W10-00316) was issued for a Wire Service at 631 North Nellis Boulevard.

<i>Pre-Application Meeting</i>	
02/25/10	A pre-application meeting was held. Submittal requirements were discussed, the applicant was informed that a detailed parking analysis would be required, and a revised site plan that indicates size of the building. A Project of Regional Significance was required.

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

<i>Field Check</i>	
03/18/10	During a routine site inspection staff observed: Various unpermitted signs attached to the store windows in violation of Minimum Special Use Permit Requirement # 4.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.56

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<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, Financial Institution, Specified	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	Clark County	Clark County
West	Single-Family Residential and Commercial	R (Rural Density Residential) and SC (Service Commercial)	R-E (Residential Estates) and C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Las Vegas Redevelopment Plan Area		X	
Development Impact Notification Assessment		X	
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	54,556 sf	1:250	219		266		Y
TOTAL SPACES REQUIRED			219		266		Y
TOTAL (With Handicapped)			212	7	259	7	Y

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ANALYSIS

The applicant is requesting a Special Use Permit for a Jewelry Store, Class III use within an existing Auto Title Loan Establishment at 631 North Nellis Boulevard. 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, with no resale of the acquired items to the general public.

The parking requirement for the existing Auto Title Loan Establishment, which is located within a large Shopping Center, is one space per 250 square feet. The proposed Jewelry Store, Class III will not increase this requirement. The subject site contains 266 spaces, which exceeds the minimum required 219 spaces for the proposed use on the site. The proposed use is compatible with the surrounding areas, as Service Commercial uses exist on three sides of the subject property. Therefore, staff recommends approval.

FINDINGS (SUP-37626)

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 manner that is harmonious and compatible with the uses in the existing shopping center and with the uses on adjacent properties.

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

The proposed use will be operated in conjunction with the existing Auto Title Loan Establishment. The subject site is physically suitable for the type and intensity of 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.

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Site access is provided from Bonanza Road, a 100-foot Primary Arterial and Nellis Boulevard, a 100-foot Primary Arterial as designated in the Master Plan of Streets and Highways. These streets are adequate in size to accommodate the proposed 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 for a Jewelry Store, Class III use. There are no distance separation requirements for a Jewelry Store Class III use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

NOTICES MAILED 150

APPROVALS 0

PROTESTS 0