



City of Las Vegas

Agenda Item No.: 40.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 22, 2010**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: SUP-3757 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT: CASH AMERICAN SUPER PAWN, OWNER: MONT WEST, LLC - Request for a Special Use Permit FOR A PAWN SHOP WITH PATIERS TO ALLOW A 154-FOOT DISTANCE SEPARATION FROM A RESIDENTIALLY ZONED PROPERTY AND A 250-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED WHERE 200 FEET AND 1000 FEET RESPECTIVELY, ARE REQUIRED at 307 South Decatur Boulevard (APN 139-31-201-003), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C.C.: 05/19/2010

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

10

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

10

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Submitted after Final Agenda Protest Postcards/Telephone Log
8. Submitted at Meeting Support Letters by Attorney Jennifer Lazovich

Motion made by VICKI QUINN to Approve subject to conditions and adding the following conditions:

- A. The hours of operation shall be Monday through Saturday, 9:00 a.m. to 7:00 p.m., and Sunday, noon to 5:00 p.m.
- B. There shall be no firearm sales.
- C. There shall be no check cashing or payday loan services provided on-site.
- D. There shall be no banner signs or temporary signage allowed on the building or premises.
- E. There shall be a one-year administrative review after issuance of a business license.

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Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

GLENN TROWBRIDGE, VICKI QUINN, RICHARD TRUESDELL, KEEN ELLSWORTH, GUS FLANGAS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-BYRON GOYNES, STEVEN EVANS)

NOTE: COMMISSIONER FLANGAS disclosed that he could be voting as the principle usually involved with the Becker that he litigated against is not involved in this matter.

Minutes:

CHAIR TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, indicated that staff recommended denial as the proposal is not compatible and cannot be done harmoniously.

ATTORNEY JENNIFER LAZOVICH, 8345 West Sunset Road, representing the applicant, indicated that BERRY BECKER, owner of the property, CAROLINE CIOCCA, representing Super Pawn, and ATTORNEY CHRIS KAEMPFER, her partner, were present to answer any questions if necessary. As a matter of background, the Super Pawn has been in the community for over 20 years and has proven to be a successful and leader in the industry. She pointed out that pawn licenses in the City can be issued only where there is an increase in population. This application is not for a new license, but rather for a new location because the existing pawn license that had been in place for a number of years where the Rush Tower sits today, as part of the expansion of the Golden Nugget is being relocated to Decatur Road in the space formerly occupied by Fizzler Restaurant and Bar for 15 months. She described the surrounding uses in this commercial corridor, and noted the site plan was reviewed administratively for staff to obtain an idea of the intended business, as well as showed pictures of the intended structure.

ATTORNEY LAZOVICH explained that two waivers were being requested for this application; one for a 154-foot separation from a residential area where there is a 200-foot code requirement. However, she explained that the distance from the building is actually 300 feet. The second waiver is from the requirement to be 1,000 feet away from any existing financial institution, and, in this case, it is not a pawn shop but rather a Cash Express. When measured from building to building, the actual distance is over 800 feet.

ATTORNEY LAZOVICH assured the Commissioners that before the application was filed, MR. BECKER and MS. CIOCCA held three neighborhood meetings, at which presentations were made and questions answered. Subsequently, the application was filed and another neighborhood meeting held on 4/8/2010, and none of the neighbors in attendance expressed any opposition. She submitted letters of support from neighboring businesses, the Meadows Neighborhood Association and neighbors that attended the meeting.

She showed pictures of existing Super Pawn shops throughout the Valley near major grocers to demonstrate how well they co-exist, and then listed additional conditions agreed to by the applicant regarding signage, hours of operation, gun sales, handicap van accessible parking and services offered.

TODD FARLOW, Las Vegas resident, stated there are four Super Pawn shops within walking radius of his home and expressed concern about Super Pawn being averse to any landscaping.

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BETTY CRAIK, President of Meadows Neighborhood Preservation, THELMA ZORA, neighborhood resident, and DENISE RUIZ, Las Vegas resident, supported this application. MS. CRAIK commented that the neighborhood is generally opposed to pawnshops; however, it supports Super Pawn because it runs a clean, reputable business. MS. RUIZ indicated that even though she does not live in the neighborhood, she supports this Super Pawn because it will be a beautiful building that will have surveillance and enhance the neighborhood.

RICHARD BRATTON, Las Vegas resident, ELISE INGRAM, and JUANITA CLARK, Charleston Neighborhood Preservation, opposed the shop stating that it would further decay the neighborhood as it is too close to residential development and schools and expressing concern about crime typically associated with pawn shops. MS. CLARK added that should this shop not be successful, it would leave the door open for other undesirable businesses.

BARRY DECKER, 50 South Jones Boulevard, said he has had a long-time relationship with Super Pawn, which is an excellent tenant that fits well in shopping centers. This shop is an excellent addition to the center that will bring a \$600,000 investment, and he asserted that it will have landscaping.

ATTORNEY LAZOVICH rebutted that additional landscaping can be installed that was supported by the neighbors. Having a vacant building in the area would be worse to the value of the neighborhood, and this applicant is making a substantial investment. She refuted the misconception that pawnshops draw crime, especially in the case of Super Pawn because it works very closely with the Las Vegas Metropolitan Police Department (Metro) and reports all the merchandise brought in to the shop.

COMMISSIONER TROWBRIDGE agreed that the term pawnshop carries a negative connotation, but pointed out that most people are not aware of the excellent reputation of Super Pawn. This area could definitely use refurbishment and investment. The use is appropriate for the area and will create new jobs.

COMMISSIONER QUINN commented that she met with ATTORNEY LAZOVICH, who met all her exigencies for this project. She disclosed that she met with ATTORNEY JAY BROWN on this matter and that she worked for Super Pawn many years ago; it runs a nice business and this Super Pawn fits well.

MARGO WHEELER, Director of Planning and Development, crafted the added conditions.

CHAIR TRUESDELL declared the Public Hearing closed.