



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 29, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: WORLDWIDE A'S JEWELRY - OWNER:
NERCES S. HIMIDIAN**

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-38275	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-38275 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Secondhand Dealer use.
2. All window signage shall be in conformance with LVMC Title 19.14, or removed within 30 days of the date of final approval.
3. This approval shall be void two years 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.

Staff Report Page One
July 29, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed Secondhand Dealer (Jewelry) use within an existing General Retail Establishment at 1444 East Charleston Boulevard. The Secondhand Dealer (Jewelry) use would allow the applicant to buy and to sell used jewelry. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses; therefore, staff recommends approval of this request. If this application is denied, the proposed Secondhand Dealer use cannot be located within the subject tenant space, nor can a business license be obtained for the use at this location.

ISSUES

- A site visit by staff and noted that a window signage was observed and exceeded the 25 percent coverage allowed pursuant to Title 19.14.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/26/78	The Board of Zoning Adjustment approved a request for a Variance (V-0041-78) to allow the sale of used books in addition to new books on property located at 1440 East Charleston Boulevard.
08/25/88	The City Council approved a request for a Variance (V-0090-88) to allow a Secondhand Dealership for the sale of used books, where a Secondhand Dealership use is not permitted on property located at 1440 East Charleston Boulevard. The Board of Zoning Adjustment and staff recommended approval.
04/21/04	The City Council approved a request for a Special Use Permit (SUP-3747) for a Financial Institution, Specified at 1426 East Charleston Boulevard. The Planning Commission and staff recommended denial.
10/20/04	The City Council approved a six month Required Review (RQR-5234) for a Special Use Permit (SUP-3747) for a Financial Institution, Specified at 1426 East Charleston Boulevard. Staff recommended approval.
01/07/09	The City Council approved a request for a Special Use Permit (SUP-31303) for a Bailbond Service at 1440 East Charleston Boulevard. The Planning Commission and staff recommended approval.
12/02/09	The City Council approved a request for a Special Use Permit (SUP-36072) for a Thriftshop at 1412 East Charleston Boulevard. The Planning Commission and staff recommended approval.

Staff Report Page Two
July 29, 2010 - Planning Commission Meeting

<i>Most Recent Change of Ownership</i>	
03/17/09	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
03/01/07	A business license (G04-06436) was issued for Gifts and Novelties at 1444 East Charleston Boulevard. This license is currently active.
04/03/07	A business license (M21-00990) was issued for Merchandise Broker at 1444 East Charleston Boulevard. This license is currently active.
07/21/08	A business license (E03-00552) was issued for an Express Delivery Service at 1444 East Charleston Boulevard. This license was marked out of business on 11/20/08.
04/23/09	A business license (T18-00877) was issued for Telephone Sales at 1444 East Charleston Boulevard. This license is currently active.
<i>Pre-Application Meeting</i>	
02/24/10	A pre-application meeting was held where elements of submitting a Special Use Permit for a Secondhand Dealer were discussed.

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

<i>Field Check</i>	
06/27/10	A field check was conducted by staff and observed window signage of the subject suite. Pursuant to Title 19.14, the window signage exceeds 25 percent.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.91

<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	Retail & Office Building	C (Commercial)	C-1 (Limited Commercial)
North	Retail Building & Motor Vehicle Sales (Used)	C (Commercial)	C-1 (Limited Commercial)

Staff Report Page Three
July 29, 2010 - Planning Commission Meeting

South	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
East	Retail & Office Building	C (Commercial)	C-1 (Limited Commercial)
West	Auto Repair Garage, Minor	C (Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</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
Las Vegas Redevelopment Plan Area	X		Y
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
Thriftshop	988 SF	1:250 SF	4				
Bail Bond Service	992 SF	1:300 SF	4				
Psychic Arts	1,250 SF	1:250 SF	5				
Financial Institution, Specified	900 SF	1:250 SF	4				
Restaurant (without Drive Through)	2,200 SF	1:50 SF of seating area and 1:200 SF of Gross Floor Area	29				

Staff Report Page Four
July 29, 2010 - Planning Commission Meeting

General Retail Store, Other than Listed (Less than 3,500 Square Feet)	8,970 SF	1:175 SF Gross Floor Area	53				
TOTAL SPACES REQUIRED			99		41		*
TOTAL (With Handicapped)			95	4	40	1	*

**The subject site meets the Title 19.10.010 (c) requirements for a Parking Impaired Development.*

ANALYSIS

The applicant is proposing to establish a Secondhand Dealer use within an existing General Retail Establishment. The applicant is proposing to buy and sell used jewelry, which is consistent with the Secondhand Dealer use defined in Title 19.04.

The subject property was constructed in 1964 and is a parking impaired development pursuant to Title 19.10.010. The current use at 1444 East Charleston Boulevard is a General Retail Store which required four parking spaces. The proposed Secondhand Dealer use requires one space per 250 square feet of gross floor area, or three parking spaces. As the proposed Secondhand Dealer use requires fewer parking spaces than the General Retail Establishment use, no parking variance is required. A site visit was conducted by staff noted a window signage was observed and exceeded the 25 percent coverage allowed pursuant to Title 19.14. A condition of approval has been added to address the window signage. The addition of a Secondhand Dealer within this site can be conducted in a manner that is harmonious and compatible with the surrounding uses; therefore, staff recommends approval.

FINDINGS (SUP-38275)

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 land use is compatible with the C (Commercial) General Plan designation and is located within an existing General Retail Establishment. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

Staff Report Page Five
July 29, 2010 - Planning Commission Meeting

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

The proposed Secondhand Dealer use will be in conjunction within General Retail Establishment, which is physically suitable for the type and intensity of the land use proposed.

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.

The site is accessed by Charleston Boulevard, a 100-Foot Primary Arterial as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs of the proposed Secondhand Dealer 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 Special Use Permit will not compromise the public health, safety, or welfare as the proposed Secondhand Dealer 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 Secondhand Dealer use complies with the conditions per Title 19.04. The parking requirement for the proposed use is one space per 250 square feet of the gross floor area. The proposed Secondhand Dealer use requires less parking than the existing General Retail Store.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

28

NOTICES MAILED

276

APPROVALS

1

PROTESTS

1