City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JULY 29, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: LOANEX - OWNER: BECKER INVESTMENT COMPANY LIMITED PARTNERSHIP

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-38531	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-38531 CONDITIONS

Planning and Development

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

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow an Auto Title Loan use within an existing 1,040 square-foot non-conforming Financial Institution, Specified at 2333 North Jones Boulevard. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as is evidenced by the requested waivers of distance separation and minimum floor area requirements. If this request is denied, the Auto Title Loan cannot be permitted on this site.

ISSUES

- A waiver is required to allow the proposed use to be located zero feet from a residential zoned use where 200 feet required.
- A waiver is required to allow the proposed use to be located zero feet from another Financial Institution, Specified where 1,000 feet is required.
- A waiver is required to allow 1,040 square feet for the use where 1,500 square feet is the minimum floor area required.
- A site visit conducted by staff and noted that a window signage was observed and exceeded the 25 percent coverage allowed pursuant to Title 19.14.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
09/26/73	The City Council approved a reclassification of property (Z-0069-73) generally located on the southeast corner of Jones Boulevard and Smoke Ranch Road, from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on the subject property. The Planning Commission recommended denial.
11/27/79	The Planning Commission approved a request for a Review of Conditions (Z-0069-73) relative to deferring landscaping on property generally located at the southeast corner of Jones Boulevard and Smoke Ranch Road. Staff recommended approval.
02/01/84	The City Council denied a request for a Plot Plan Review (Z-0069-73) to allow a 12-foot by 24-foot off-premise sign on property located at 2351 North Jones Boulevard. The Planning Commission and staff recommended denial.
08/20/03	The City Council denied a Special Use Permit (SUP-2329) for the sale of Package Liquor for off-premise consumption in conjunction with an existing Convenience Store at 2339 North Jones Boulevard. The Planning Commission and staff recommended denial.

Most Recent Change of Ownership	
05/21/02	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/18/00	A business license (C21-00067) was issued for Check Cashing Services at 2333 North Jones Boulevard, Suite #110. The business license was reclassified as a Non-Depository Lender on 01/07/10.
01/07/10	A temporary business license (N02-00126) was issued for Non-Depository Lender at 2333 North Jones Boulevard, Suite #110. The temporary business license will expire on 07/07/10.

Pre-Application Meeting	
06/03/10	A pre-application meeting was held with the applicant where elements of submitting a Special Use Permit for an Auto Title Loan were discussed. The topic included: • The submittal of application materials, meeting dates, and deadlines were discussed. • The parking requirement for an Auto Title Loan is the same as the Financial Institution, Specified. The required parking is one space per 250 square feet of gross floor area and no additional parking is required for the proposed use. • The site plan needs to be revised to include a comprehensive parking calculation with the parking requirements of different uses on-site. • The justification letter needs to be revised to include the business address and suite number of the proposed use. • The hours of operation need to be included in the justification letter, indicating that the use will not extend beyond the hours of 8:00 a.m. to 11:00 p.m. Otherwise, a waiver is required to extend the allowed hours of operation. • A waiver is required to allow 1,040 square feet for the use where 1,500 square feet is the minimum floor area required. • A waiver is required to allow the proposed use to be located zero feet from a residentially zoned use where 200 feet is required. • A waiver is required to allow the proposed use to be located zero feet from another Financial Institution, Specified where 1,000 feet is required.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
06/24/10	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.

Details of Application Request	
Site Area	
Net Acres	1.47

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Retail Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store & Service Station	SC (Service Commercial)	C-1 (Limited Commercial)
South	Multi-Family Residence	M (Medium Low Density Residential)	R-3 (Medium Density Residential)
East	Utility Installation	PF (Public Facilities)	C-V (Civic)
	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)
West	Multi-Family Residence	H (High Density Residential)	R-PD31 (Residential - Planned Development - 31 Units Per Acre)

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	X		Y
Trails		X	N/A
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	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	
Beauty Salon	1,000 SF or 4 stations	3 spaces per station	12				
Restaurant	1,500 SF 1,500 SF	1/50 SF, 1/200 SF	30 8				
Office	1,000 SF	1/300 SF	4				
Retail	1,000 SF	1/175 SF	6				
Barber Shop	1,000 SF or 6 chairs	2 spaces per chair	12				
Liquor Establishment (Tavern)	1,000 SF 3,000 SF	1/50 SF 1/200 SF	20 15				
Financial Institution, Specified	1,040 SF	1/250 SF	4				
Convenience Store	2,400 SF	1/175 SF	14				
TOTAL SPACES REQUIRED			125		69		
TOTAL (With Handicapped)			120	5	62	7	

Waivers		
Requirement	***Request***	***Staff Recommendation***
200-foot distance separation from residentially zoned property.	Zero feet	Denial
1,000-foot distance separation from a Financial Institution, Specified.	Zero feet	Denial
1,500 square feet minimum of the building or portion thereof	1,040 square feet is the existing area of the	Denial

that is dedicated for the use.	suite.	

ANALYSIS

The proposed Auto Title Loan will allow 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 required parking for the entire site is 125 parking spaces. Currently, the provided parking for the existing site is 69 parking spaces and it is a parking-impaired development, pursuant to Title 19.10.010. The proposed use will not result in an increase to the area of the suite or result in a change of use that requires an increase in the number of required parking spaces. 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 minimum Special Use Permit requirements for the proposed Auto Title Loan use are a 200-foot distance separation from residential use, a 1,000-foot distance separation from any other Financial Institution, Specified and a 1,500 square-foot minimum floor area for the use. The applicant has requested waivers to allow a zero-foot distance separation from residential use, a zero-foot distance separation from another Financial Institution, Specified and to allow 1,040 square feet of floor area for the proposed use. Staff is recommending denial of this application because the proposed use cannot be conducted in a manner that is compatible with the surrounding land uses, as is evidenced by the requested waiver of distance separation and minimum floor area requirements.

FINDINGS (SUP-38531)

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 use cannot be conducted in a manner that is harmonious and compatible with the uses in the existing site and with the commercial uses on adjacent properties due to the waivers of the distance separation from residentially zoned property and from another Financial Institution, Specified.

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

The subject site is not physically suitable for the type and intensity of the proposed use. The suite where the proposed Auto Title Loan is to be located is only 1,040 square feet. The minimum Special Use Permit requirement for the building or portion thereof that is dedicated to the use shall have a minimum size of 1,500 square feet.

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 Smoke Ranch Road, a 100-foot Primary Arterial and Jones Boulevard, an 80-foot Secondary Collector as designated in the Master Plan of Streets and Highways. These streets are of sufficient size to accommodate the needs 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.

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 use does not meet all of the applicable conditions per Title 19.04, due to the request of waivers of distance separation for the proposed Auto Title Loan to allow the use within zero feet of residentially zoned property, zero feet from another Financial Institution, Specified and to allow 1,040 square feet minimum for the proposed use, where 1,500 square feet minimum is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 413

APPROVALS 0

PROTESTS 1