City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2010
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: MONEYTREE, INC. - OWNER: KATSAM, LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-39365	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-39365 CONDITIONS

Planning and Development

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

2.Conformance to the approved conditions for Rezoning (Z-0139-88), and Site Development Plan Review [Z-0139-88(35)], except as modified herein.

3.All window signage shall be in conformance with LVMC Title 19.14, or removed within 30 days of the date of final approval.

4.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.

5.All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

RG

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** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow an Auto Title Loan use within an existing 2,681 square-foot Financial Institution, Specified at 9470 West Sahara Avenue. The subject site is located within the Village Square Commercial Center. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval of this request with conditions. If this request is denied, the Auto Title Loan use cannot be permitted on this site.

ISSUES

- An Auto Title Loan use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A waiver is required to allow the Auto Title Loan use to be located zero feet from a residentially zoned use where 200 feet is required.
- A site visit conducted by staff noted that the window signage exceeded 20 percent of the area of all exterior windows pursuant to Title 19.04. A condition of approval addresses this issue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc	
12/22/80	The City Council approved a request for Annexation (A-0018-80) of a parcel of land generally bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east, containing approximately 2,246 acres of land. Planning Commission and staff recommended approval.
02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development – 4 Units Per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial), and C-V (Civic), to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residence), and C-1 (Limited Commercial) for property generally located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard. The Planning Commission and staff recommended approval.

11/17/99	The City Council approved a request for a Site Development Plan Review [Z-0139-88(35)] on a property located at 9470 West Sahara Avenue for a proposed 2,700 square-foot restaurant with a drive-through. The Planning Commission recommended approval.
11/19/03	The City Council approved a request for a Special Use Permit (SUP-3002) for a Financial Institution, Specified at 9470 West Sahara Avenue. The Planning Commission and staff recommended approval.
02/15/06	The City Council approved a request for a Review of Condition (ROC-11080) Number 6 of an approved Special Use Permit (SUP-3002) to allow closing time at 11:00 P.M. where 8:00 P.M. was required for a Financial Institution, Specified. The Planning and Development staff recommended denial.

Most Recent Change of Ownership	
01/21/04	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
03/10/00	A building permit (#00004355) was issued for a Fast Food Restaurant at 9470 West Sahara Avenue. The building permit had a final inspection on 07/24/00.
07/06/04	A building permit (#04016861) was issued for a Tenant Improvement at 9470 West Sahara Avenue. The building permit had a final inspection on 10/08/04.
01/06/05	A business license (N02-00070) was issued for a Non-Depository Lender at 9740 West Sahara. The license is currently active.
01/06/05	A business license (W10-00070) was issued for a Wire Transfer at 9470 West Sahara Avenue. The license is currently active.
04/04/09	A business license (W10-00242) was issued for a Wire Transfer at 9470 West Sahara Avenue. The license is currently active.
08/10/09	A business license (M06-03074) was issued for a Miscellaneous Sales at 9470 West Sahara Avenue. The license is currently active.

Pre-Application Meeting	
08/12/10	A pre-application meeting was held for submitting a Special Use Permit for an Auto Title Loan. The topic included: • The subject site is located within the Village Square Shopping Center and residential zoned properties are abutting the shopping center. • A waiver would be required to allow a zero-foot distance separation from property zoned for residential use, where 200 feet is required.

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

Field Check	
09/16/10	A site visit was conducted by staff in which it was noted that the subject building appears to contain window signage that is more that 20 percent of the area of all exterior windows.

Details of Application Request	
Site Area	
Net Acres	0.64

Surrounding Property	***Existing Land Use Per Title 19.04***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Apartments	M (Medium Density Residential)	R-PD21 (Residential Planned Development – 21 Units per Acre)
			R-3 (Medium Density Residential)
South	Bank, Service Station with Convenience Store and Apartments	SC (Service Commercial)	C-1 (Limited Commercial)
		M (Medium Density Residential)	R-PD20 (Residential Planned Development – 20 Units per Acre)
East	Commercial Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
	Condominium	M (Medium Density Residential)	R-PD18 (Residential Planned Development – 18 Units per Acre)
West	Library	PF (Public Facilities)	C-V (Civic)
	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)

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		X	N/A
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

Functional Classification of Street(s)	*Governing Document*	*Street Width (Feet)*	*Compliance with Street Section*
Primary Arterial – Sahara Avenue	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
		Required			*Provided*		*Compliance*
			Parking		*Parking*		
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	425,720 SF	1:250 SF	1,703		2,112		
TOTAL SPACES REQUIRED			1,703		2,112		
Regular and Handicap Spaces Required			1,675	28	2,032	80	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
200-foot distance separation from residential use.	Zero-foot separation	Approval

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 the security of the vehicle itself. The proposed Auto Title Loan use will be located within the existing 2,681 square-foot Financial Institution, Specified. The subject site for the proposed Auto Title Loan and Financial Institution, Specified is located within the Village Square Shopping Center. A site visit was conducted by staff that noted that the window signage appeared to make up more than 20 percent of the area of all exterior windows pursuant to Title 19.04, within the north and west building elevations. A condition of approval has been added to address the window signage.

The proposed use is located within a Shopping Center and abuts to residentially zoned properties to the north, which are existing apartment complexes. The applicant has requested a waiver to allow a zero-foot distance separation from a residential use, where 200 feet is required, which is similar to the requirement for the existing Financial Institution, Specified located at the site. The Auto Title Loan use can 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; therefore, staff is recommending approval with conditions.

FINDINGS (SUP-39365)

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 Auto Title Loan use can 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.

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

The existing building is physically suitable for the type and intensity of the proposed Auto Title Loan 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.

The site can be accessed from Sahara Avenue and is sufficient in 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 required waiver of the distance separation to allow the use zero feet from a residential zoned property where 200 feet is required. The required waiver is similar to the requirement for the existing Financial Institution, Specified located at the site.

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