



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 16, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: AACTION LOANS - OWNER: FARM ROAD RETAIL, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-40105	Staff recommends DENIAL, if approved subject to conditions:	

** CONDITIONS **

SUP-40105 CONDITIONS

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for an Auto Title Loan use.
2. 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.
3. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.
4. 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 for an Auto Title Loan use at 8414 Farm Road, #130. The application is accompanied with Waivers to allow a 127-foot distance separation from a residential use where 200 feet is required and to allow a 1,188 square-foot facility where a minimum 1,500 square-foot facility is required. Based upon the requested Waivers, denial of this request is recommended. If denied, the applicant may not operate an Auto Title Loan use from this location.

ISSUES

- A Special Use Permit is required to operate an Auto Title Loan use within the SC-TC (Service Commercial – Town Center) land use district.
- The Minimum Special Use Permit requirements for an Auto Title Loan use necessitate a 1,500 square foot facility and that such use be located more than 200 feet from residential property, for which the applicant has requested Waivers.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
12/07/98	The City Council approved a request for Rezoning from R-E (Residence Estates) to T-C (Town Center) as part of a larger request (Z-0076-98). The Planning Commission and staff recommended approval.
05/17/00	The City Council approved a Site Development Plan Review [Z-0076-98(14)] for a proposed 222,129 square foot shopping center at the northwest corner of Farm Road and Tule Springs Road. The Planning Commission and staff recommended approval.
02/09/04	Planning and Development Department staff administratively approved a Wireless Facility Review (SDR-19913) to allow a repeater facility consisting of one (1) donor antenna and one (1) panel antenna on the existing rooftop at 8414 Farm Road.
04/19/06	The City Council approved a Special Use Permit (SUP-10514) for a proposed 5,000 square foot Restaurant with a Drive-Through, a Special Use Permit for an 89,250 square foot, three story Mini Storage Facility, and a Site Development Plan Review (SDR-10505) for a proposed 153,650 square foot addition to an existing commercial center on 18.9 acres at the northeast corner of Farm Road and Durango Drive. The Planning Commission and staff recommended approval of all items.

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<i>Most Recent Change of Ownership</i>	
05/06/02	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
03/21/02	A Building Permit #02004976 was issued for a Certificate of Completion for "Retail Shop Building 11" on the overall plan for Tule Springs Village Center. A final inspection was completed on 10/30/02. Individual Certificates of Occupancy for each suite in the completed building were to follow.
12/14/09	A Building Permit #151038 was issued for a 1,188 square foot tenant improvement, Suite 130. This permit received final inspection on 1/20/2010

<i>Pre-Application Meeting</i>	
10/04/10	The Minimum Special Use Permit requirements for an Auto Title Loan use in Town Center were discussed. The applicant was briefed on the Town Center requirements for a neighborhood meeting for applications requesting a Waiver from separation distance requirements.

<i>Neighborhood Meeting</i>	
12/07/2010	Per Town Center Development Standards Section A.4.C, a Waiver of distance separation requirements within the Town Center Plan area requires a neighborhood meeting to be held in an area near the subject site. This meeting is scheduled for December 7 th , 6:30 p.m. at the Centennial Hills Active Adult Center, 6601 North Buffalo Drive. A summary of the meeting was not available at the time of this staff report.

<i>Field Check</i>	
11/12/10	A field check was performed by staff with the following observations: • The subject site is located within a retail suite in a Shopping Center. • Both the subject site and the neighboring suite are currently unoccupied. • The site maintains an orderly appearance and is free of trash and debris. • The residential property is located to the rear of the Shopping Center and has no visual access to the proposed suite.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.98

<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/Commercial	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
North	Office/Retail/Commercial	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
South	Retail/Commercial/ Financial Institution, General	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
East	Single Family Residential	L (Low Density Residential)	R-PD4 (Residential Planned Development – 4 Units Per Acre)
West	Service Station without Automotive Repair	SC-TC (Service Commercial – Town Center)	T-C (Town Center)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Town Center Master Plan	X		N
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		N
Trails		X	NA
Rural Preservation Overlay District		X	NA
Las Vegas Redevelopment Plan Area		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

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DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and 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	
Auto Title Loan	1,188 SF	1:250	5				
TOTAL SPACES REQUIRED			5		948		Y
Regular and Handicap Spaces Required			4	1	915	33	Y

Waivers		
Requirement	Request	Staff Recommendation
A 200-foot minimum separation distance separation from Residentially zoned property.	To allow a 127-foot separation distance.	Denial
A minimum 1,500 square foot facility is required.	To allow a 1,188 square foot facility.	Denial

ANALYSIS

The applicant proposes to locate an Auto Title Loan use within the Town Center Master Plan Area, inside a 1,188 square foot retail suite at an existing 153,650 square-foot Shopping Center. Pursuant to the Town Center Development Standards Manual, an Auto Title Loan use in the SC-TC (Service Commercial – Town Center) land use district requires an approved Special Use Permit, and defers to the Minimum Special Use Permit Requirements listed in Title 19.04. The Auto Title Loan use, as proposed, does not meet all of the minimum Title 19 requirements. Specifically, the applicant has requested Waivers to allow the use to be located within a 127-foot separation distance where a 200-foot separation distance is required and to allow a 1,188 square foot facility where a minimum 1,500 square foot facility is required. Due to the required Waivers, staff recommends denial. If denied, the applicant may not operate the Auto Title Loan use from this location.

FINDINGS (SUP-40105)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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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 Auto Title Loan use does not meet the Minimum Special Use Permit Requirements and cannot be conducted in a manner that is compatible with the surrounding land uses.

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, as is evident by the requested Waivers.

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 Auto Title Loan use will attract a moderate increase in traffic to the site. Access to the subject site is from Tule Springs Road, a 60-foot street.

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.

If approved, the proposed use will not compromise the public health, safety, and welfare because the use will operate in compliance with applicable business licensing codes.

5.The use meets all of the applicable conditions per Title 19.04.

Per Title 19.04, the Minimum Special Use Permit Requirements for an Auto Title Loan use mandate that the use not be located within 200 feet of residential property or that the use occurs within a building less than 1,500 square feet. Denial of this application is based upon the need for the accompanying waivers of these requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

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APPROVALS 0

PROTESTS 5