



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 12, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CHECK CITY - OWNER: WEINGARTEN NOSTAT, INC.

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41080	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-41080 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Jewelry Store, Class III use.
2. Conformance to the Conditions of Approval for Rezoning (Z-0080-78), Plot Plan Review [Z-0080-78(1)], and all other site-related actions shall be required, if approved.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. 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

The applicant seeks to add a Jewelry Store, Class III use within a legal, nonconforming 3,078 square-foot Financial Institution, Specified use at 6820 West Charleston Boulevard. The applicant intends to purchase jewelry only for the salvageable materials (precious metals) and does not intend to pawn or make loans against the jewelry. Staff recommends approval of this request, as the proposed use meets all minimum Special Use Permit requirements, and can be conducted in a manner that is compatible with the surrounding uses. If denied, the existing Financial Institution, Specified would remain as it is.

ISSUES

- The Jewelry Store, Class III use requires a Special Use Permit to operate within the C-1 (Limited Commercial) zoning district.
- The Jewelry Store, Class III use allows for the purchase of the jewelry for its precious metals and not for resale.
- The existing Financial Institution, Specified is a legal, nonconforming use as it was operating prior to a requirement for a Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
11/15/78	The City Council approved a request for Rezoning (Z-0080-78) to R-1 (Single Family Residential) and C-1 (Limited Commercial) as part of a larger request.
11/28/89	The Planning Commission approved a request for a Plot Plan and Building Elevation Review [Z-0080-78(1)] for a Retail Shopping Center on a portion of the overall site.
06/17/92	The City Council approved a request for a Special Use Permit (U-0103-92) to allow the sale of beer and wine in conjunction with an existing Restaurant. The Board of Zoning Adjustment recommended approval.
09/16/92	The City Council approved a request for a Special Use Permit (U-0194-92) to allow five additional coin-operated gaming machines for a total of 20 machines within a Grocery Store. The Board of Zoning Adjustment recommended approval
02/03/93	The City Council approved a request for a Special Use Permit (U-0219-92) to allow 5 additional Coin Operated Gaming Machines (for a total of 20 machines) in an existing Drug Store. The Board of Zoning Adjustment recommended approval.

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Staff Report Page Two
 April 12, 2011 - Planning Commission Meeting

Most Recent Change of Ownership	
12/28/00	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
12/16/02	A business license (#N02-00101) was issued for a Non-Depository Lender.
04/14/09	A business license (#W10-002241) was issued for a Wire Transfer Service.
09/24/10	A business license (#A23-02430) was issued for Tax Services.

Pre-Application Meeting	
02/16/11	A Pre-Application meeting was held with staff to discuss the requirements for adding a proposed Jewelry Store, Class III use to a legal, nonconforming Financial Institution, Specified use. The applicant was informed of the minimum requirements and application deadlines.

Neighborhood Meeting	
A neighborhood meeting is not required for this type of request, nor was on held.	

Field Check	
03/09/11	A field check was performed by staff with the following observations made: <ul style="list-style-type: none"> The existing Financial Institution, Specified use is well maintained and neat in appearance. The building housing the proposed use has adequate parking located along three sides and has ample additional parking located within the Shopping Center.

Details of Application Request	
Site Area	
Net Acres	1.09

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Financial Institute, Specified	SC (Service Commercial)	C-1 (Limited Commercial)
North	Grocery Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)

Staff Report Page Three
 April 12, 2011 - Planning Commission Meeting

Master Plan Areas	Yes	No	Compliance
Master Plan Area		X	NA
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts		X	NA
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

DEVELOPMENT STANDARDS

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

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular		Handi-capped
Shopping Center	136,709 SF	1: 250 SF					
Jewelry Store, Class III	-	-					
TOTAL SPACES REQUIRED			547		630	Y	
Regular and Handicap Spaces Required			11	536	14	616	Y

ANALYSIS

The applicant is requesting a Special Use Permit for a Jewelry Store, Class III use within an existing Financial Institution, Specified at West Charleston Boulevard. The Jewelry Store, Class III use is described by Title 19.04 as, “a store which buys and sells scrap precious metals for marketing as a commodity in bar form or in other than jewelry form, or which buys and sells precious metal bars and coins that are sold as a commodity rather than for numismatic purposes. This may include operations similar to a new jewelry store.” The applicant intends operate this use within the limits of this description and buy jewelry with the intent of salvaging the precious metals, with no resale of the acquired items to the general public.

Staff Report Page Four
April 12, 2011 - Planning Commission Meeting

The proposed Jewelry Store, Class III will not increase the parking demand, as the use will occur concurrently with the existing Financial Institution, Specified use. The parking requirement for the existing Financial Institution, Specified, which is located within a large Shopping Center, is one space per 250 square feet. The 3,078 square-foot building requires 13 spaces, for which there are 21 spaces adjacent to the north, east, and west sides. In addition, the Shopping Center provides 630 spaces where 547 are required. The proposed use is compatible with the surrounding areas, as Service Commercial uses exist on three sides of the subject property.

Staff recommends approval, with conditions. If denied, the Financial Institution, Specified use will remain as is.

FINDINGS (SUP-41080)

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 Jewelry Store Class III use can be conducted in a manner that is harmonious and compatible with the uses in the existing shopping center 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 proposed use will be operated in conjunction with the existing Financial Institution, Specified use. The subject site is physically suitable for the type and intensity of the proposed 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.

Site access is provided from Charleston Boulevard is adequate in size to accommodate the proposed use. The existing site circulation will remain unchanged, as the proposed use will operate in an existing Financial Institution, Specified 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.

Staff Report Page Five
April 12, 2011 - Planning Commission Meeting

Approval of the proposed Special Use Permit for a Jewelry Store, Class III use 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 proposed use complies with the Minimum Special Use Permit requirements for a Jewelry Store, Class III use. There are no distance separation requirements for a Jewelry Store Class III use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 387

APPROVALS 0

PROTESTS 0