



City of Las Vegas

Agenda Item No.: 32.

**AGENDA SUMMARY PAGE - PLANNING
PLANNING COMMISSION MEETING OF: AUGUST 9, 2011**

**DEPARTMENT: PLANNING
DIRECTOR: FLINN BAGO**

☐ Consent ☒ Discussion

SUBJECT: UP-4222 - SPECIAL USE PERMIT PUBLIC HEARING - APPLICANT/OWNER: I RENT & E, LLC. For possible action on request for a Special Use Permit FOR A PROPOSED PAWN SHOP USE WITHIN AN EXISTING 2,000 SQUARE-FOOT COMMERCIAL BUILDING WITH WAIVER TO FOLLOW A 40-FOOT DISTANCE SEPARATION FROM A FINANCIAL INSTITUTION, SPECIFIED WHERE 2,000 FEET IS REQUIRED at 3500 West Sahara Avenue (APN 92-05402-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL.

C. C: 09/07/2011

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Supplemental Staff Report

Motion made by VICKI QUINN to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

GUS FLANGAS, BYRON GOYNES, RICHARD TRUESDELL, GLENN TROWBRIDGE, VICKI QUINN, TODD L. MOODY, TRINITY SCHLOTTMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

STEVE GEBEKE, Planning, stated the existing building is currently vacant but was previously a bank. Staff recommended denial because the proposed use does not conform to the requirements

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of Title 19.12, and the use cannot be conducted in a manner that is harmonious and compatible with surrounding land uses.

WINSTON HENDERSON, 1555 East Flamingo Road, appeared on behalf of the applicant and stated this was formerly a bank in disrepair, but the new owner has already upgraded the property with fresh paint and landscaping. He understands that the primary objection relates to the proximity of this site and another property, but the actual door-to-door distance is the required 1,000-foot separation distance as opposed to property line to property line. This use is not a detriment to the surrounding area but will enhance the area. MR. HENDERSON agreed with staff's conditions.

COMMISSIONER GOYNES confirmed with DOUG RANKIN, Planning, that the measurement is based on property line to property line.

COMMISSIONER MOODY felt the structure is too large for a pawn shop and the application should reflect a use other than a pawn shop. MR. HENDERSON replied that the applicant is applying under the pawn shop umbrella, which includes jewelry sales and other goods, including a pawn shop. COMMISSIONER MOODY was concerned about speculative zoning and it appears the applicant is asking for more than what they need at this time. MR. HENDERSON rebutted that they are pawn shops owners and have already started in the building.

COMMISSIONER GOYNES confirmed that request is for a pawn shop but it appears as there is another component to this request.

For COMMISSIONER QUINN, DOUG RANKIN, Planning, discussed the uses that other uses that fall underneath this pawn shop umbrella.

DEPUTY CITY ATTORNEY JAMES LEVINE pointed out the applicant is applying for the pawn shop use not financial institution specified. Therefore, it is not appropriate to consider the other allowed uses. He suggested the Commission discuss with the applicants their intentions with regard to the pawn shop. If, in fact, the desire is a financial institution specified, then the application should be amended.

MR. HENDERSON responded that under staff's direction, they applied under the appropriate use, even though the pawn shop activity will not take place immediately. They intend to have this activity at this location and did not want to be deceptive.

COMMISSIONER MOODY believed the applicant should apply for a use that will be used immediately, as well as a variance from the distance separation requirement, to which he could support.

BILL DROBOKIN stated he owns Pioneer Loan and Jewelry and understood staff recommended a special use permit for a pawn shop. Currently, the application is for a financial institution doing installment lending and a buy/sell jewelry. They were not trying to mislead but rather do an all

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encompassing application and incur less fees and open the business as soon as possible.

COMMISSIONER QUINN verified with MR. DROBKIN that the signage will say Sammy's Loan at Three Percent and Pioneer Buy and Sell.

DEPUTY CITY ATTORNEY LEWIS advised that if the Commission believes a pawn shop is appropriate for this location, they can support the application.

COMMISSIONER TRUESDELL did not feel comfortable in allowing a pawn shop use that may become a second-hand jewelry business.

CHAIR TROY BRIDGE declared the Public Hearing closed.

