



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: AUGUST 9, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: I RENT B & E, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-42225	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-42225 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Pawn Shop use.
2. Conformance to the approved conditions for Rezoning (Z-0066-73) and Plot Plan Review (Z-0066-73).
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. 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 is a request for a Special Use Permit to allow a proposed Pawn Shop use within an existing 6,039 square-foot building located at 3500 West Sahara Avenue. The existing building is currently vacant, but was previously used as a Financial Institution, General (without Drive-Through). Staff recommends denial of the Special Use Permit request, because the proposed use does not conform to the requirements of Title 19.12, and cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses due to the waiver request. If this request is denied, the proposed use cannot be located on the site, nor can a business license be issued.

ISSUES

- A Pawn Shop use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- A request for a Waiver is required to allow a 657-foot distance separation from a Financial Institution, Specified where 1,000 feet is required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/26/73	The Board of City Commissioners approved a request for Rezoning (Z-0066-73) from R-1 (Single Family Residential) and R-3 (Medium Density Residential) to R-PD6 (Residential Planned Development – 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial) as part of a larger request of a property generally located between West Oakey Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses. The Planning Commission recommended approval.
09/15/76	The Board of City Commissioners approved a request for a Plot Plan Review (Z-0066-73) for Nevada State Bank and Nevada Savings and Loan Association generally located on the north side of Sahara Avenue between Spanish Oaks Drive and Valley View Boulevard. The Planning Commission recommended approval.

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<i>Most Recent Change of Ownership</i>	
06/11/10	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
09/22/76	A building permit (#4753) was issued for an Office Building at 3500 West Sahara Avenue. The permit was finalized on 02/24/77.
05/02/86	A building permit (#7052-1) was issued for an addition of an existing office building at 3500 West Sahara Avenue. The permit was finalized on 08/29/86.
08/12/02	A building permit (#02014640) was issued for Tenant Improvement remodel of an existing building at 3500 West Sahara Avenue. The permit was finalized on 10/09/02.
10/15/02	A business license (B03-00153) was issued for a Financial Institution, General (without Drive-Through) at 3500 West Sahara Avenue. The license was marked out of business on 11/09/10.
06/01/11	A business license (F02-92813) was processed for a Finance Company for installment loans at 3500 West Sahara Avenue. The Planning Department denied the review of the business license requiring a Special Use Permit on 06/08/11.

<i>Pre-Application Meeting</i>	
06/14/11	A pre-application meeting was held with the applicant, where elements of submitting a Special Use Permit for a proposed Pawn Shop use were discussed. The topics included: • The proposed use will not require a Variance for parking, since the previous use was Financial Institution, General (without Drive-Through). The parking requirement was one space for each 200 square feet and the proposed Pawn Shop use parking requirement is one space for each 250 square feet of the gross floor area. • After the application was submitted for the Special Use Permit, the applicant was informed that the request for the Special Use Permit would require a waiver of the distance separation from a Financial Institution, Specified.

<i>Neighborhood Meeting</i>	
08/04/11	A neighborhood meeting will be held at the Bill and Lillie Heinrich YMCA at 4141 Meadows Lane, Las Vegas, Nevada 89107 beginning at 6:00 p.m.

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Field Check	
06/30/11	A site visit was conducted by staff and it was noted that the subject site is a well maintained commercial property.

Details of Application Request	
Site Area	
Net Acres	0.62

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	General Retail Store	SC (Service Commercial)	C-1 (Limited Commercial)
East	Financial Institution, General (with Drive-Through)	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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 (200 feet)	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

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DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	150	Y*

*Per Master Plan of Streets and Highways the street width is 100 feet.

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

<i>Parking Requirement</i>							
<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	
Financial Institution, General (without Drive-Through)	-6,039 SF	1/200 SF	31				
Pawn Shop (Proposed)	6,039 SF	1/250 SF	25				
TOTAL SPACES REQUIRED			25		23		Y*
Regular and Handicap Spaces Required			24	1	22	1	Y*

*Per Title 19.18.030 (D), the subject property is a Parking-Impaired Development.

<i>Waivers</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
1,000-foot distance separation from a Financial Institution, Specified.	657 feet	Denial

ANALYSIS

A Pawn Shop use is defined per Title 19.18.020, as “a facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.” The building was previously used as a Financial Institution, General (without Drive-Through). The subject site is located within the Airport Overlay District with 200 feet height restrictions. The proposed use will not modify the physical characteristic of the building; therefore, it will not affect the request for a Special Use Permit.

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The site plan submitted for this request depicts 23 parking spaces. The previous use had a parking requirement of one space for each 200 square feet of the gross floor area for 31 parking spaces required. However, the proposed Pawn Shop use has a parking requirement of one space for each 250 square feet of the gross floor area for 25 parking spaces required. The proposed use parking requirement is less than the previous use; therefore, a parking Variance is not necessary. The subject property is a Parking-Impaired Development pursuant to Title 19.18.030.

The minimum Special Use Permit requirement is that no Pawn Shop use may be located closer than 1,000 feet from any other pawn shop use or specified financial institution use. The distance separation is measured in a straight line from property line to property line, without regard to intervening obstacles. The nearest Financial Institution, Specified is approximately 657 feet of the subject site; therefore, the applicant is requesting a waiver as part of this request. The proposed use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as evidenced by the requested waiver; therefore, staff recommends denial.

FINDINGS (SUP-42225)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 Pawn Shop use cannot be conducted in a manner that is harmonious and compatible with existing surrounding land uses, as evidenced by the requested waiver of the distance separation requirement of 1,000 feet of a 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, as is evidenced by the requested waiver.

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 is accessed by Sahara Avenue. This street is sufficient to accommodate the needs of the proposed Pawn Shop 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.

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If approved, the proposed use will not compromise the public health, safety, and welfare, as the use will be subject to regular inspections.

5.The use meets all of the applicable conditions per Title 19.12.

Per Title 19.12, the Minimum Special Use Permit Requirements for a Pawn Shop use mandate that the use not be located within 1,000 feet of a Financial Institution, Specified use. Denial of this application is based upon the need for the accompanying waiver of these requirements.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 28

NOTICES MAILED 120

APPROVALS 0

PROTESTS 0