



## AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: OCTOBER 11, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: SONIA CORREDOR - OWNER: DECATUR  
WASHINGTON SHOPPING CENTER, LLC

---

### \*\* STAFF RECOMMENDATION(S) \*\*

| <i>CASE<br/>NUMBER</i> | <i>RECOMMENDATION</i>                             | <i>REQUIRED FOR<br/>APPROVAL</i> |
|------------------------|---------------------------------------------------|----------------------------------|
| SUP-43011              | Staff recommends APPROVAL, subject to conditions: | N/A                              |

### \*\* CONDITIONS \*\*

---

## SUP-43011 CONDITIONS

---

### Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Jewelry Store, Class III use.
2. Conformance to the approved conditions for Rezoning (Z-0013-72) and Site Development Plan Review (Z-0013-72).
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. All necessary building permits shall be obtained for all unpermitted existing signage within 60 days of final approval, or the signage shall be removed.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Staff Report Page One**  
**October 11, 2011 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit to allow a proposed Jewelry Store, Class III use within an existing 1,140 square-foot Jewelry Store, New at 840 North Decatur Boulevard, Suite #A. The proposed use complies with all Title 19.12 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Jewelry Store, Class III use cannot be located within the subject property, nor can a business license be obtained at this location.

**ISSUES**

- A Jewelry Store, Class III use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- Unpermitted signage was observed during a field check by staff on 09/01/11. A condition has been added to require conformance to Title 19.

**BACKGROUND INFORMATION**

| <i><b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc</b></i> |                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/03/68                                                                 | The Board of City Commissioners approved a Rezoning (Z-0007-68) from R-E (Residence Estates) to C-1 (Limited Commercial) Under Resolution of Intent on property located at the southeast corner of Washington Avenue and Decatur Boulevard. The Planning Commission recommended approval.                                 |
| 03/01/72                                                                 | The Board of City Commissioners approved a Rezoning (Z-0013-72) from R-E (Residence Estates) to C-1 (Limited Commercial) on property located at the southeast corner of Washington Avenue and Decatur Boulevard.                                                                                                          |
| 09/02/81                                                                 | The Board of City Commissioners approved a Plot Plan Review (Z-0013-72) to expand the Shopping Center on property located at the southeast corner of Washington Avenue and Decatur Boulevard.                                                                                                                             |
| 07/14/97                                                                 | The City Council approved a Rezoning (Z-0045-97) on property located on the southeast corner of Washington Avenue and Decatur Boulevard including the subject site from C-1 (Limited Commercial) to PD (Planned Development), for a Commercial Shopping Center With Limited Food Processing And Manufacturing Facilities. |

**Staff Report Page Two**  
**October 11, 2011 - Planning Commission Meeting**

|          |                                                                                                                                                                                                                                                                                                                                        |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01/12/98 | The City Council rescinded an approved Rezoning (Z-0045-97) on property located on the southeast corner of Washington Avenue and Decatur Boulevard, including the subject site, from C-1 (Limited Commercial) to PD (Planned Development), for a Commercial Shopping Center With Limited Food Processing And Manufacturing Facilities. |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| <b><i>Most Recent Change of Ownership</i></b> |  |
|-----------------------------------------------|--|
|-----------------------------------------------|--|

|          |                                                |
|----------|------------------------------------------------|
| 06/12/07 | A deed was recorded for a change in ownership. |
|----------|------------------------------------------------|

| <b><i>Related Building Permits/Business Licenses</i></b> |  |
|----------------------------------------------------------|--|
|----------------------------------------------------------|--|

|          |                                                                                                                                                                     |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| C.1983   | The Shopping Center at 840 North Decatur Boulevard was constructed.                                                                                                 |
| 02/08/02 | A business license (J01-01662) was issued for Jewelry Sales and Repair at 840 North Decatur Boulevard, Suite A. The license was marked out of business on 09/29/09. |
| 10/21/06 | A business license (T07-00840) was issued for a Travel Agency at 840 North Decatur Boulevard, Suite A. The license is currently active.                             |
| 09/21/07 | A business license (T18-00728) was issued for Cell Phone Sales at 840 North Decatur Boulevard, Suite A. The license was marked out of business on 06/18/09.         |
| 10/04/07 | A business license (M17-00099) was issued for a Music Store at 840 North Decatur Boulevard, Suite A. The license is currently active.                               |
| 06/20/08 | A business license (M21-01113) was issued for a Merchandise Broker at 840 North Decatur Boulevard, Suite A. The license was marked out of business on 08/18/09.     |
|          | A business license (T18-00842) was issued for a Merchandise Broker at 840 North Decatur Boulevard, Suite A. The license was marked out of business on 08/18/09.     |
| 07/14/11 | A business license (P27-00753) was issued for a DMV Registration Service at 840 North Decatur Boulevard, Suite A. The license is currently active.                  |
| 08/29/11 | A business license (J01-02190) was issued for New Jewelry Sales at 840 North Decatur Boulevard, Suite A. The license is currently active.                           |

| <b><i>Pre-Application Meeting</i></b> |  |
|---------------------------------------|--|
|---------------------------------------|--|

|          |                                                                                                                                           |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------|
| 08/16/11 | A Pre-Application Meeting was held and the requirements of submitting a Special Use Permit for a Jewelry Store, Class III were discussed. |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------|

| <b><i>Neighborhood Meeting</i></b> |  |
|------------------------------------|--|
|------------------------------------|--|

|                                                                                |  |
|--------------------------------------------------------------------------------|--|
| A neighborhood meeting was not required for this application nor was one held. |  |
|--------------------------------------------------------------------------------|--|

**Staff Report Page Three**  
**October 11, 2011 - Planning Commission Meeting**

| <b>Field Check</b> |                                                                                                                                                                                         |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/01/11           | Staff conducted a field check of the subject site and noted multiple unpermitted banners, excessive window signage and a valid business license for a closed Travel Agency (T07-00840). |

| <b>Details of Application Request</b> |      |
|---------------------------------------|------|
| <b>Site Area</b>                      |      |
| Net Acres                             | 3.46 |

| <b>Surrounding Property</b> | <b>Existing Land Use Per Title 19.12</b> | <b>Planned or Special Land Use Designation</b> | <b>Existing Zoning District</b>                           |
|-----------------------------|------------------------------------------|------------------------------------------------|-----------------------------------------------------------|
| Subject Property            | Shopping Center                          | SC (Service Commercial)                        | C-1 (Limited Commercial)                                  |
| North                       | Golf Course                              | PF (Public Facilities)                         | C-V (Civic)                                               |
| South                       | Motor Vehicle Sales (New)                | GC (General Commercial)                        | C-2 (General Commercial)                                  |
| East                        | Condominiums                             | ML (Medium Low Density Residential)            | R-PD8 (Residential Planned Development- 8 Units per Acre) |
| West                        | General Retail                           | SC (Service Commercial)                        | C-1 (Limited Commercial)                                  |

| <b>Master Plan Areas</b>                          | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
|---------------------------------------------------|------------|-----------|-------------------|
| <b>Master Plan Area</b>                           |            | X         | N/A               |
| <b>Special Purpose and Overlay Districts</b>      | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
| <b>Special Purpose and Overlay Districts</b>      |            |           |                   |
| A-O (Airport Overlay) District (105 Feet)         | X          |           | Y                 |
| <b>Trails</b>                                     |            | X         | N/A               |
| <b>Rural Preservation Overlay District</b>        |            | X         | N/A               |
| <b>Las Vegas Redevelopment Plan Area</b>          | X          |           | Y                 |
| <b>Development Impact Notification Assessment</b> |            | X         | N/A               |
| <b>Project of Regional Significance</b>           |            | X         | N/A               |

**Staff Report Page Four**  
**October 11, 2011 - Planning Commission Meeting**

**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> |
|--------------------|-----------------------------------------------|-------------------------------------|-----------------------------------|---------------------------------------|
| Washington Avenue  | Secondary Collector                           | Master Plan of Streets and Highways | 80                                | Y                                     |
| Decatur Boulevard  | Primary Arterial                              | Master Plan of Streets and Highways | 120                               | Y*                                    |

\* Decatur Boulevard is listed as a 100-foot Primary Arterial, per the Master Plan of Streets and Highways.

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

In addition to Title 17A.05 and 17A.12, 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 |            |
| Shopping Center                      | 41,091 SF                           | 1/250 SF      | 165     |              |          |              |            |
| TOTAL SPACES REQUIRED                |                                     |               | 165     |              | 246      |              | Y          |
| Regular and Handicap Spaces Required |                                     |               | 159     | 6            | 239      | 7            | Y          |

**ANALYSIS**

A Jewelry Store, Class III use is defined per Title 19.18.020 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. The use may additionally include operations similar to a new jewelry store.”

The applicant currently has an operating business license for a Jewelry Store, New use. No additional parking is required, as the proposed Jewelry Store; Class III use has the same parking requirement as the existing Jewelry Store, New use. The subject site is part of a shopping center, which has more parking than is required.

The subject site is located in the Airport Overlay District (105 feet) and the Las Vegas Redevelopment Plan Area. The proposed use will not have a negative impact on the Special Purpose and Overlay District if approved. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses; therefore, staff recommends approval.

**Staff Report Page Five**  
**October 11, 2011 - Planning Commission Meeting**

**FINDINGS (SUP-43011)**

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 use will be located within an existing Jewelry Store, New. The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses.

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

The site is physically suitable for the type of land use proposed.

**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 Washington Avenue and Decatur Boulevard. These streets are of sufficient size to accommodate the needs of the proposed 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 Special Use Permit will not compromise the public health, safety and general welfare, as the use will be subject to regular inspections.

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

The proposed use complies with the Minimum Special Use Permit Requirements for a Jewelry Store, Class III use.

**NOTICES MAILED**                      319

**APPROVALS**                                1

**PROTESTS**                                 0