



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: NOVEMBER 8, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: JEFF WHITE CUSTOM JEWELRY - OWNER:
GREAT WASH PARK, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-43294	Staff recommends APPROVAL, subject to conditions:	None

** CONDITIONS **

SUP-43294 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Secondhand Dealer use.
2. 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.
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.

Staff Report Page One
November 8, 2011 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Secondhand Dealer use at 410 South Rampart Boulevard, Suite #160. The applicant is currently operating a licensed Jewelry Store, New at this location. The addition of a Secondhand Dealer use will allow the applicant to buy and sell used jewelry, as well as precious metals such as gold and silver. The use is appropriate for the site and can be conducted in manner that is harmonious and compatible with surrounding uses; therefore, staff recommends approval. If the application is denied, the jewelry store may continue to operate but will be limited to its current use as defined by Title 19.12.

ISSUES

- A Secondhand Dealer use is allowed within a C-2 (General Commercial) zoning district with the approval of a Special Use Permit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
01/26/98	The City Council approved a Rezoning (Z-0127-97) from U (Undeveloped) zone, M (Medium Density Residential) and SC (Service Commercial) General Plan Designation, under Resolution of Intent to R-PD16 (Residential Planned Development – 16 Units per Acre), to C-2 (General Commercial) at the northeast corner of the intersection of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval.
03/02/05	The City Council approved a request for a Site Development Plan Review (SDR-5657) to allow a Mixed-Use development to include 700,000 square feet of commercial space and 375 residential condominium units in on 10-story and two five-story residential condominium buildings on 30.21 acres adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval.
03/02/05	The City Council approved a request for a Special Use Permit (SUP-5853) to allow a proposed Mixed-Use commercial and residential development adjacent to the northeast corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval.

Staff Report Page Two
November 8, 2011 - Planning Commission Meeting

04/19/06	The City Council approved a request for a Variance (VAR-10773) to allow 3,955 parking spaces where 4,961 parking spaces is the minimum number of parking spaces required for a proposed Mixed-Use development on 28.69 acres at 8750 Alta Drive. The Planning Commission recommended approval, but the Department of Planning staff recommended denial.
	The City Council approved a request for a Site Development Plan Review (SDR-10770) for a 10-story Mixed-Use development consisting of 690,000 square feet of commercial space and 340 residential units on 28.69 acres 8750 Alta Drive. The Planning Commission recommended approval, but the Department of Planning staff recommended denial.

<i>Most Recent Change of Ownership</i>	
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01/16/04	A deed was recorded for a change in ownership.
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<i>Related Building Permits/Business Licenses</i>	
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02/23/09	A building permit (#07002966) was issued for renewal of a permit for a certificate of completion for Building #17 at 410 South Rampart Boulevard. The permit has not been finalized.
01/20/11	A building permit (#179502) was issued for a tenant improvement for a Restaurant at 410 South Rampart Boulevard, Suite #160. The permit has not been finalized.
05/10/11	A business license (J01-02184) was issued for a Jewelry Sales at 410 South Rampart Boulevard, Suite #160. The license is currently active.
09/08/11	A business license (S26-94306) was denied by planning at 410 South Rampart Boulevard, Suite #160 for a Secondhand Dealer requiring the approval of a Special Use Permit.

<i>Pre-Application Meeting</i>	
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09/06/11	A pre-application meeting was held and issues concerning the submittal of a Special Use Permit for a Secondhand Dealer use were discussed with the applicant.
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<i>Neighborhood Meeting</i>	
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A Neighborhood Meeting is not required for this application, nor was one held.	
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Staff Report Page Three
November 8, 2011 - Planning Commission Meeting

Field Check	
09/29/11	Staff conducted a field check of the subject property. Staff noted the subject site was a well maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	28.43

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Mixed-Use Development	GC (General Commercial)	C-2 (General Commercial)
North	Commercial Recreation/Amusement (Outdoor)	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
South	Shopping Center	SC (Service Commercial)	PD (Planned Development)
East	Single-Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	Hotel & Gaming Establishment Non-restricted	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		X	N/A
Trails	X		Y
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

Staff Report Page Four
November 8, 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>
Rampart Boulevard	Primary Arterial	Master Plan of Streets and Highways	100	Y
Alta Drive	Secondary Collector	Master Plan of Streets and Highways	80	Y

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	
Mixed-Use	794,482 SF & 340 Residential Units	Case by case basis(when originally approved)					
TOTAL SPACES REQUIRED			3,955		3,955		
Regular and Handicap Spaces Required			3,955	60	3,955	60	Y*

* Per approved Variance (VAR-10773).

ANALYSIS

The proposed use will be located within the Tivoli Village at Queensridge Mixed-Use development. The mixed-use development is adjacent to a Pedestrian Path along Rampart Boulevard as designated within the Transportation Trails Element of the Las Vegas 2020 Master Plan. The property is zoned C-2 (General Commercial) and is intended to provide the broadest scope of compatible services that allows retail, service and mixed-use developments. The C-2 (General Commercial) District is consistent with the General Commercial Category of the General Plan. The proposed use of a Secondhand Dealer is permissible in the C-2 (General Commercial) District with approval of a Special Use Permit and adherence to the minimum conditions.

Staff Report Page Five
November 8, 2011 - Planning Commission Meeting

A Secondhand Dealer is defined by Title 19.20 as a specialty shop which deals solely in one kind of used commodity with no new commodities, or a business in which the sale of secondhand or used articles is incidental to the sale of new articles of the same kind. The sale of secondhand or used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing apparel, furniture, fixtures, appliances, tableware, offices supplies, pictures, paintings, jewelry, cutlery or guns.

The applicant currently owns and operates a custom jewelry store in this mixed-use development. The proposed Secondhand Dealer will be specifically for the purchase and sale of used jewelry, as well as, precious metals such as gold and silver. The sale of secondhand goods shall be limited to the retail store at 410 South Rampart Boulevard, Suite #160.

The Las Vegas Metropolitan Police Department (LVMPD) expressed the following comments:

“The request will have minimal impact on police services; however, due to the economy, the special use permits for secondhand dealer are becoming more prevalent which gives our agency concern. There is potential for these locations to be used by certain criminal elements. If the application is approved, LVMPD requests the applicant strictly adhere to Las Vegas Municipal Code 6.74.”

The use is appropriate for the site and can be conducted in a manner that is harmonious and compatible with surrounding uses; therefore, staff recommends approval. If the application is denied the jewelry store may continue to operate but will be limited to its current use as defined by Title 19.12.

FINDINGS (SUP-43294)

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 land use is similar to the existing land use in intensity, and 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.”

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

The proposed location is within an existing mixed-use development, which is physically suitable for the intensity of the proposed use.

Staff Report Page Six
November 8, 2011 - Planning Commission Meeting

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.

Access to the mixed-use development is provided by Rampart Drive, a 100-foot Primary Arterial, and Alta Drive, an 80-foot Secondary Collector. The streets provide adequate traffic flow for the mixed-use development, including the proposed Secondhand Dealer 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 this Special Use Permit will meet the public health or general welfare objectives of General Plan.

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

The proposed use meets the conditions of a Secondhand Dealer as indicated within Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

NOTICES MAILED

415

APPROVALS

2

PROTESTS

1