



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: NOVEMBER 8, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: MJ GOLD AND DIAMOND EXCHANGE -

OWNER: NP/I&G MONTECITO MARKETPLACE PHASE II, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-43376	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SUP-43376 CONDITIONS

Planning

1. Conformance to the approved conditions for Rezoning (ZON-3840), and Site Development Plan Review (SDR-11702).
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. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
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 to allow a Secondhand Dealer (Jewelry) use within an existing 3,185 square-foot retail establishment at 7090 North Durango Drive, Suite 140. The store is a well established, locally-owned jewelry store with several valley locations. This request can be conducted in a compatible and harmonious manner with the surrounding land uses; therefore, staff recommends approval, with conditions. If the application is denied, no secondhand jewelry transactions can take place at this location.

ISSUES

- A Secondhand Dealer (Jewelry) use is permitted at this Montecito Town Center location with an approved Special Use Permit. Staff supports the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/20/64	The City Council approved an Annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre east portion of the subject site. The effective date was 05/29/64.
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest, including the east 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.
01/17/01	The City Council approved an Annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the west five acres of the subject site. The effective date was 01/26/01. The Planning Commission and staff recommended approval.
03/06/02	The City Council approved a Development Agreement (DA-0002-01) for the Montecito Shopping Center. The Planning Commission and staff recommended approval. The agreement was recorded 05/01/02.
12/19/02	The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan Way alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff recommended approval.

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

12/11/03	A Final Map (FMP-2819) for a three-lot commercial subdivision was recorded adjacent to the southeast corner of Elkhorn Road and Durango Drive.
04/07/04	The City Council approved a Site Development Plan Review (SDR-3764) related to a Major Modification of the Montecito Town Center Development Agreement (MOD-3763) and Rezoning (ZON-3840) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. The Planning Commission and staff recommended approval.
02/16/05	The City Council approved a Site Development Plan Review (SDR-5731) for a Major Amendment to the approved Site Development Plan Review for a 380,000 square foot development that included the subject site. The Planning Commission and staff recommended approval.
07/25/05	Planning and Development Department staff administratively approved a Minor Amendment to the approved Site Development Plan Review (SDR-5731) that changed the parking lot layout of Building F and added five parking spaces.
04/19/06	The City Council approved a Site Development Plan Review (SDR-11702) request for a Major Amendment to an approved Site Development Plan Review (SDR-5731) to allow the modification of pads G, I through O, R, U, and V on 21.48 acres at the southeast corner of Durango Drive and Elkhorn Road and a companion Variance (VAR-11710) to allow 1,032 parking spaces where 1,209 spaces is the minimum required for Phases I and II of the Montecito Marketplace commercial development. The Planning Commission recommended approval and staff recommended denial.
12/06/06	The City Council approved a Special Use Permit (SUP-16948) for a Supper Club at 7070 North Durango Drive. The Planning Commission and staff recommended approval.
10/11/11	The City Council approved a Special Use Permit (SUP-42974) for a Beer/Wine/Cooler On-Sale Establishment use in an existing 6,371 square-foot restaurant at 7070 North Durango Drive. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
09/07/11	A deed was recorded for a change in ownership.

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

<i>Related Building Permits/Business Licenses</i>	
10/22/07	A Building Permit (#99789) for a Tenant Improvement was issued at 7090 North Durango Drive, Suite 140. The permit was finalized on 12/13/07.
03/02/10	A Building Permit (#157725) for Illuminated Wall Signs was issued at 7090 North Durango Drive, Suite 140.
10/01/10	A Building Permit (#99789) for a Sign was issued at 7090 North Durango Drive, Suite 140.

<i>Pre-Application Meeting</i>	
08/25/11	Staff met with the applicant and reviewed the application requirements for a Secondhand Dealer (Jewelry) Special Use Permit at 7090 North Durango Drive, Suite 140.

<i>Neighborhood Meeting</i>	
No neighborhood meeting was required, nor was one held.	

<i>Field Check</i>	
09/29/11	Staff conducted a site visit and found a well maintained retail jewelry store in an existing shopping center.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	8.41

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Shopping Center	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
North	Shopping Center	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
South	Hospital	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)

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

East	Medical Office	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
West	Pawn Shop	UC-TC (Urban Center Mixed Use – Town Center)	T-C (Town Center)
	Tavern		
	Undeveloped		

Master Plan Areas	Yes	No	Compliance
Town Center Master Plan	X		Y
Montecito Town Center	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
T-C (Town Center) District	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

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Durango Drive	Parkway Arterial	Master Plan of Streets and Highways / Town Center Development Standards Manual	125	Y

Pursuant to Title 19.08 and 19.12, 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	287,741 SF	1:250 SF	1,151				
TOTAL SPACES REQUIRED			1,151		1,384		Y
Regular and Handicap Spaces Required			1,129	22	1,352	32	Y

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

<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	
Loading Spaces	287,741 SF	3 spaces for the first 50,000 SF plus 1 space for each additional 50,000 SF	8		10		Y

ANALYSIS

This project is located within the Montecito Town Center plan area with a Mixed-Use Commercial Land Use designation within Town Center; the site has a land use designation of UC-TC (Urban Center Mixed-Use-Town Center). The UC-TC designation allows for a mix of land uses including multi-family, commercial, cultural, recreational and meeting facilities that provide most of the daily support services and activities for the region. The proposed use conforms to the intent of this designation.

There are no additional parking standards that apply for a Secondhand Dealer (Jewelry) use as it is located within a shopping center. The shopping center is currently over-parked by 233 spaces. The Secondhand Dealer (Jewelry) use will be an accessory use to the retail jewelry store. Since the project conforms to the Montecito Town Center plan and all applicable Town Center requirements, staff is recommending approval of the Special Use Permit.

FINDINGS (SUP-43376)

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.**

With compliance to the conditions of approval, a Secondhand Dealer (Jewelry) use will be harmonious and compatible with the neighboring uses.

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

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

The subject site is developed as a shopping center. It is physically suitable for the type and intensity of land use as 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.

Access to the shopping center is via an internal shopping center drive, which is connected to Durango Drive that is adequate for 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.

This development will be required to obtain all of the necessary development permits, including Building and Safety Department requirements for a Certificate of Occupancy, which will insure the protection of the public health, safety and general welfare.

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

The project meets all conditions for a Secondhand Dealer (Jewelry) use. Conditions are required by the Town Center Development Standards and refer back to Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

25

NOTICES MAILED

523

APPROVALS

0

PROTESTS

1