City of Las Vegas

AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: APRIL 11, 2017
DEPARTMENT: PLANNING
ITEM DESCRIPTION: APPLICANT: STAR LOAN CENTERS - OWNER: 432 E. SAHARA LLC

** STAFF RECOMMENDATION(S) **

CASE NUMBER	*RECOMMENDATION*	*REQUIRED FOR APPROVAL*
SUP-69230	Staff recommends APPROVAL, subject to conditions:	N/A

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

NOTICES MAILED 897

PROTESTS 6

APPROVALS 6

RG

**** CONDITIONS ****

SUP-69230 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for an Auto Title Loan use.

2. Conformance to the approved conditions for Reclassification of Property (Z-0010-67).

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. A Waiver from Title 19.12 is hereby approved, to allow a zero-foot distance separation from a residential use.

5. A Waiver from Title 19.12 is hereby approved, to allow a 959-foot distance separation from a similar use.

6. 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.

7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

The applicant operates a Financial Institution, Specified at 432 East Sahara Avenue and is seeking to add Auto Title Loan as a service provided to customers.

ISSUES

- An Auto Title Loan is a permitted use in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- Waivers from Title 19.12 are required to allow a zero-foot distance separation from a residential use where 200 feet is required and to allow a 959-foot distance separation from a similar use where 1000 feet is required. Staff supports these requests.

ANALYSIS

This is a request for a Special Use Permit for a proposed Auto Title Loan use. The subject property is developed with an existing nonconforming 2,312 square-foot Financial Institution, Specified. The subject property's current zoning is C-1 (Limited Commercial); it is located within an Airport Overlay, Beverly Green/Southridge Neighborhood and the Las Vegas Redevelopment Area.

An Auto Title Loan is a permitted use in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. The proposed use is considered as a Project Regional Significance and no comments have been received at the time of this writing.

The Auto Title Loan use is defined as "A business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself." The proposed use meets the definition as the submitted justification letter, date stamped 02/27/17, clearly states that they will hold auto titles as collateral and the client keeps the vehicle in their possession. They cannot store any vehicles on premise including repossessed vehicles, as outside storage is not permitted in the C-1 district. Instead, repossessed vehicles will be stored by the repossession company.

The Minimum Special Use Permit Requirements for this use include:

*1. The use shall comply with all applicable requirements of LVMC Title 6.

The proposed use will meet this required, as the proposed use is subject to licensing requirements and inspection.

*2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

The proposed use meets this standard as the use will be located in an existing Financial Institution, Specified use that is aesthetically compatible with remaining general retail uses located in the building.

3. No temporary signs (as described in LVMC 19.08.120(G)) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed 30 days.

The existing Financial Institution, Specified use where the proposed use will be located is code compliant, and the applicant has not stated any intent to alter the existing signage.

4. Window signs shall not:

a. Cover more than 20 percent of the area of all exterior windows;

b. Include flashing lights or neon lighting; or

c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.

The existing Financial Institution, Specified use where the use will be located is code compliant, and the applicant has not stated any intent to alter or add to the existing signage.

5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.

The applicant's justification letter states that they will operate the use at the same time as the existing Financial Institution, Specified use, which is open from 10:00 a.m. to 6:00 p.m. Monday through Friday; 10:00 a.m. to 2:00 p.m. on Saturdays; and is closed on Sundays.

6. The building or portion thereof that is dedicated to the use shall have a minimum size of 1500 square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as “teller” windows or desks).

   The existing Financial Institution, Specified use occupies 2,293 square feet of floor area, and the proposed use will operate in the same space.

7. No auto title loan use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than 1000 feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Requirement 7, distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term “property line” refers to property lines of fee interest parcels and not leasehold parcels.

   The proposed site is zero feet away from a residentially zoned parcel where 200 feet is required and 959 feet from a similar uses where 1,000 feet is required. The applicant has requested a Waiver to address these distance requirement. The proposed use will be located within an existing Financial Institution, Specified use, which has the same distance separation requirements under the current Title 19.12 standards, and that has been operating at this location for many years; therefore, staff supports the waiver request as the proposed addition of the Auto Title Loan use will not negatively affect the surrounding adjacent uses.

The applicant proposes to add the Auto Title Loan use to an existing Financial Institution, Specified use at 432 East Sahara Avenue. The Financial Institution, Specified use has been operating at this location since 2009 when the business license was issued as a continuing use. The subject site is classified as a legal nonconforming use, which was established prior to the need for Special Use Permit outlined by Title 19.12 for the C-1 (Limited Commercial) zoning district. The Financial Institution, Specified use currently operates from 10:00 a.m. to at 6:00 p.m. during weekdays, 10:00 a.m. to 2:00 on Saturdays; and is closed on Sundays. The proposed use adheres to the operating hours listed in Title 19.12 for the Auto Title Loan use of 8:00 a.m. to 11:00 p.m.

The existing use is located zero feet from a residentially zoned property to the north where a 200-foot minimum distance separation is required and 959 feet from a similar use where 1,000-foot minimum distance separation is required. Although these issues do not affect the existing Financial Institution, Specified use, the proposed Auto Title

Loan use will require Waivers of the Minimum Special Use Permit requirements prior to being added to the existing Financial Institution, Specified use. Staff supports the requested waivers, as the impact from the addition of an Auto Title Loan use to an existing Financial Institution, Specified use will be negligible to the surrounding land uses.

The proposed Auto Title Loan use will share floor area occupied by the existing Financial Institution, Specified use and does not require any additional parking beyond that which is existing on-site. Pursuant to Title 19.18.030(D), the subject property is a parking impaired site. The applicant's justification letter states that no outside storage of vehicles will be permitted on-site, nor does the C-1 zoning district allow outside storage. Therefore staff recommends approval of the request with conditions.

FINDINGS (SUP-69230)

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 Auto Title Loan use is compatible with the SC (Service Commercial) General Plan land use designation and is located within an existing Financial Institution, Specified use. The proposed use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed use will be located within an established commercial building and will be operating within an existing Financial Institution, Specified use. There is no evidence of a physical constraint to the proposed use on the subject site.

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.

Primary site access is from Sahara Avenue, a 100-foot wide Primary Arterial. The right-of-way provides adequate capacity to serve 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.

The proposed Auto Title Loan use will be subject to regular inspections for business licensing and will therefore not compromise the public's health, safety or general welfare, or the overall objectives of the General Plan.

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

Although the use does not comply with all of the conditions per Title 19.12, the applicant has requested a Waiver of distance separation from a residential property and from a similar use. Staff supports the applicant's request, as the addition of the proposed Auto Title Loan use will not alter or intensify the existing use on the site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
07/05/67	The Board of City Commissioners approved a request for Reclassification of Property [Z-0010-67] from R-2 to C-1, generally located on the north side of Sahara Avenue between Santa Rita Drive and Santa Rosa Drive. The Planning Commission recommended approval.
03/06/17	A Code Enforcement case (#175438) was processed for a sign without a permit at 430 East Sahara Avenue. The case is currently active.

Most Recent Change of Ownership	
03/01/13	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
1952	The building located at 432 East Sahara Avenue was constructed.
12/02/09	A business license (N02-00152) for a non-depository lender was issued at 432 East Sahara Avenue. The license is currently active.
06/02/13	A business license (G50-09048) for custom home furnishings at 430 East Sahara Avenue. The license is currently active.
01/22/15	A business license (P62-00279) for secondhand dealer at 430 East Sahara Avenue. The license is currently active.

Pre-Application Meeting	
02/09/17	A pre-application meeting was conducted by staff with the applicant, discussing the Special Use Permit application submittal process for an Auto Title Loan use with Waivers of the distance separation from residential and similar uses.

Neighborhood Meeting
A neighborhood meeting was not required, nor was one held.

Field Check	
03/02/17	A field check was conducted by staff of the subject property and staff observed a wall sign at 430 East Sahara Avenue and graffiti located at the rear of the property.

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	***Existing Land Use Per Title 19.12***	***Planned or Special Land Use Designation***	***Existing Zoning District***
Subject Property	Financial Institution, Specified	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family, Detached	ML (Medium Low Density Residential)	R-2 (Medium-Low Density Residential)
South	Multi-Family Residential	CT (Commercial Tourist) - Clark County	H-1 (Limited Resort and Apartment) – Clark County
East	Office, Other than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
West	General Retail Store, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas	***Compliance***
No Applicable Master Plan Area	N/A
Beverly Green / Southridge Neighborhood	Y
Special Purpose and Overlay Districts	***Compliance***
A-O (Airport Overlay) District	Y
Other Plans or Special Requirements	***Compliance***
Trails	N/A
Las Vegas Redevelopment Plan Area	Y
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	Y

DEVELOPMENT STANDARDS

Street Name	***Functional Classification of Street(s)***	***Governing Document***	***Actual Street Width (Feet)***	***Compliance with Street Section***
Sahara Avenue	Primary Arterial	Planned Streets and Highways Map	100	Y

Waivers		
Requirement	***Request***	***Staff Recommendation***
A 200-foot distance separation from residential use.	Zero-foot distance separation	Approval
A 1,000-foot distance separation from a similar use.	959-foot distance separation	Approval