



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 12, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CENTENNIAL GATEWAY, LLC - OWNER:
INLAND DIVERSIFIED LAS VEGAS CENTENNIAL GATEWAY, LLC

** STAFF RECOMMENDATION **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-48171	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-48171 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under Town Center Development Standards Manual, Section B.4.B 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. 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.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. 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

The applicant proposes to relocate a 13,761 square-foot Secondhand Dealer (Home Consignment) use currently located at 5760 Centennial Center Boulevard, to 5643 Centennial Center Boulevard, Suite #110. The new 11,000 square-foot location will continue to resell home furnishings from a 397,244 square-foot Shopping Center south of its current location. The proposed use is compatible with the surrounding area and meets the minimum Special Use Permit requirements for a Secondhand Dealer use, set listed in the Town Center Development Standards Manual. Therefore, staff recommends approval of this request with conditions.

ISSUES

- A Secondhand Dealer (Home Consignment) use is permitted in the SC-TC (Service Commercial- Town Center) land use district with the approval of a Special Use Permit.
- The applicant currently operates a Secondhand Dealer in the Shopping Center on a separate parcel just north of Centennial Center Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
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.
11/07/01	The City Council approved the Town Center Development Standards Manual through Bill No. 2001-100.
06/03/03	The Centennial Hills Architectural Review Committee approved a Master Sign Plan (CHR-0009-03) at the Centennial Gateway commercial development at the northwest corner of U.S. 95 and Ann Road. Staff recommended approval.
06/12/03	The Planning Commission approved a request for a Tentative Map (TMP-2202) for a 2-lot commercial subdivision on 36.5 acres adjacent to the northeast and northwest corner of Ann Road and Centennial Center Boulevard. Staff recommended approval.
05/16/07	The City Council approved Bill No. 2007-17 amending the Town Center Development Standards Manual with respect to Secondhand Dealer establishments.

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08/06/03	The City Council approved a request for a Site Development Plan Review (SDR-2208) for a proposed 397,244 square-foot commercial development with waivers of the Town Center Development Standards Manual on 36.5 acres adjacent to the northeast and northwest corners of Ann Road and Centennial Center Boulevard. The Planning Commission and staff recommended approval.
02/04/09	The City Council adopted Ordinance #6027 which amended the Town Center Development Standards Manual Secondhand Dealer use to allow on a nonconsignment basis the dealing in secondhand personal computers, laptop computers and other similar computer devices. The Planning Commission and staff recommended approval of the Text Amendment (TXT-31179) which was heard at the City Council as Bill Number 2009-2.
05/06/09	The City Council approved a request for a Special Use Permit (SUP-33491) for a Secondhand Dealer (Portable Computers) at 5765 Centennial Center Boulevard, Suite 160. The Planning Commission recommended approval.
05/08/12	The Planning Commission approved a request for a Special Use Permit (SUP-44890) for a proposed 2,932 square-foot Secondhand Dealer (wearing apparel) use at 5643 Centennial Center Boulevard, Suite #105. Staff recommended approval.
02/12/13	The Planning Department administratively approved a Minor Amendment to Special Use Permit (SUP-48172) to relocate a Secondhand Dealer use from 5643 Centennial Center Boulevard, Suite #105 to 5643 Centennial Center Boulevard, Suite #130.

Most Recent Change of Ownership

04/15/03	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

05/21/12	A business license (#S25-00155) was issued for a Secondhand Dealer at 5643 Centennial Center Boulevard, Suite #105. This Secondhand Dealer use is relocating from Suite #105 to Suite #130, 5643 Centennial Center Boulevard in order to accommodate the relocation associated with this request.
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Pre-Application Meeting

01/22/13	A pre-application was held with the applicant's representative to discuss the submittal process for a Special Use Permit for a proposed Secondhand Dealer use in the Town Center District.
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<i>Neighborhood Meeting</i>
A neighborhood meeting is not required for this request, nor was one held.

<i>Field Check</i>
01/31/13
A field inspection was conducted by staff. The subject property was noted as a well maintained commercial center with an established Secondhand Dealer use at 5643 Centennial Center Boulevard, Suite #105.

<i>Details of Application Request</i>
<i>Site Area</i>
Net Acres
16.79

<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	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
North	Shopping Center	GC-TC (General Commercial – Town Center)	T-C (Town Center)
South	Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD5 (Residential Planned Development – 5 Units Per Acre)
East	General Retail, Other Than Listed	SC-TC (Service Commercial – Town Center)	T-C (Town Center)
West	Single family, Detached	ML (Medium Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units Per Acre)

<i>Master Plan Areas</i>	<i>Compliance</i>
Town Center Special Area Plan	Y
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
T-C (Town Center) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

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	211,606 SF	1:250 SF					
TOTAL SPACES REQUIRED			862		1,014		
Regular and Handicap Spaces Required			846	16	990	24	Y

ANALYSIS

The Minimum Special Use Permit Requirements listed in the Town Center Special Area Plan for the Secondhand Dealer use are distinct from the Minimum Special Use Permit Requirements listed in Title 19.12 of the Unified Development Code.

Additionally, the Town Center Special Area Plan does not provide a definition of the proposed use; therefore, the following Title 19.18 definition of the Secondhand Dealer use is provided as follows: "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. For purposes of this definition, 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 term includes the sale of jewelry (Class III type) and scrap precious metals as defined in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of used cars or the sale of other items which the City Council determines do not fit within the intent of this term. The term does not include the buying and selling of foreign or domestic coins for numismatic purposes or used books, which shall be allowed where retail sales of new merchandise, is permitted. The term also does not include a thriftshop or nonprofit thriftshop."

The proposed use meets the definition, as the provided justification letter states that the applicant requests to relocate an existing Secondhand Dealer use that sells, on a consignment basis, secondhand goods such as jewelry, furniture and other housing accessories to the proposed location at 5643 Centennial Center Boulevard, Suite #110. The proposed location remains compatible with the surrounding area and the use continues to meet the minimum Special Use Permit requirements for a Secondhand Dealer use, set forth by the Town Center Development Standards Manual. Therefore, staff recommends approval of this Special Use Permit. If denied, the applicant will not be allowed to operate a Secondhand Dealer use at this location.

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FINDINGS (SUP-48171)

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 Secondhand Dealer use will be located within an approximate 11,000 square-foot commercial suite, located in a shopping center in the SC-TC (Service Commercial – Town Center) special land use area. The proposed use can be conducted in a manner that is harmonious and compatible with the uses on the existing site and with the commercial uses on the adjacent properties.

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

The subject site is suitable for the type and intensity associated with the Secondhand Dealer use. The proposed Secondhand Dealer use will occupy an existing suite and will not require any additional parking beyond what has been provided for the existing shopping center.

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 Centennial Center Boulevard, a 90-foot Town Center Frontage Road, a sufficient size to accommodate the needs of 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 a Special Use Permit for this use at this location will not compromise the public health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas. The use is consistent with the existing SC-TC (Service Commercial - Town Center) special land use designation.

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

The proposed Secondhand Dealer use meets the applicable conditions per Town Center and Title 19.12.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 512

APPROVALS 0

PROTESTS 0