



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-14252 - APPLICANT: NEVADA ASSOCIATION OF LATIN AMERICANS, INC. - OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS, NEVADA**

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**\*\* CONDITIONS \*\***

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-14246) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**APPLICATION REQUEST**

This is a request for a Special Use Permit for an existing Social Service Provider at 323 North Maryland Parkway. An associated Rezoning (ZON-14246) and a Variance (VAR-14251) application will be heard concurrently with this request.

**EXECUTIVE SUMMARY**

The Social Service Provider use has been in operation on the site since 2000, and the applicant is applying for Special Use Permit approval in order to comply with zoning requirements. Title 19.04 does not list any minimum standards or separation requirements for the use; no other Social Service Provider uses are located within the notification area. The Social Service Provider facilities are housed in the same building as a daycare operation, but there is adequate separation between the two uses so as to prevent any potential issues.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |   |
|----------|---|
| 02/24/78 | The Board of Zoning Adjustment approved a Special Use Permit (U-0005-78) to allow a child care center on the subject site.  |
| 09/01/90 | The Planning and Development Department approved a plot plan for an addition to the existing structure.   |
| 11/03/05 | The Planning and Development Department denied a business license (N05-92127) submitted by the applicant for a non-profit social service provider, as the use was inconsistent with the zoning of the property. |
| 01/03/06 | A business license (N15-00012) for the child care center was renewed by the Business Services Division. The organization has maintained a child care license since 1985.  |
| 07/27/06 | The Planning Commission recommended approval of companion items ZON-14246 and VAR-14251 concurrently with this application.   |
| 07/27/06 | The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #72/ff).  |

**B) *Pre-Application Meeting***

03/06/06 At the pre-application conference, it was noted that the daycare function was properly licensed, but the social service functions would require a Special Use Permit. Parking requirements were reviewed with the applicant, and it was noted that a Variance would be needed as the uses on the site had been expanded.

**C) *Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Net Acres: 1.47

**B) *Existing Land Use***

Subject Property: Child Care Center  
Social Service Provider  
North: I-515 R.O.W.  
South: General Retail Use  
East: Community Center  
Multifamily Residential Use  
Single-Family Residential Use  
West: Multifamily Residential Use  
Community Center

**C) *Planned Land Use***

Subject Property: MXU (Mixed-Use)  
North: I-515 R.O.W.  
South: MXU (Mixed-Use)  
East: MXU (Mixed-Use)  
West: MXU (Mixed-Use)

**D) *Existing Zoning***

Subject Property: R-2 (Medium-Low Density Residential)  
North: I-515 R.O.W.  
South: C-2 (General Commercial)  
East: R-3 (Medium-Density Residential)  
C-1 (Limited Commercial)  
West: R-3 (Medium-Density Residential)  
R-4 (High Density Residential)

**E) General Plan Compliance**

The subject property is located within the boundaries of the Las Vegas Redevelopment District, and has a Mixed-Use (MXU) land use designation. The Mixed-Use (MUX) designation allows uses comparable to the following land use categories: L (Low Density Residential), ML (Medium-Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), GC (General Commercial), and PF (Public Facilities). The proposed uses are in compliance with the land use designation.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		
Redevelopment Plan Area	<b>X</b>	
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Overlay District</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**Redevelopment Plan Area**

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a Mixed-Use (MXU) land use designation. The proposed uses are in conformance with the Redevelopment Plan.

**ANALYSIS**

**A) Zoning Code Compliance**

**A1) Parking and Traffic Standards**

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Child Care Center	13,000 SF	1/staff member (12 staff members) 1/10 children (200 children)	32			
Social Service Provider	5,282 SF	1/300	18			
<b>Total</b>	<b>18,282 SF</b>		<b>50</b>	<b>2 (of total)</b>	<b>29</b>	<b>2 (of total)</b>

The facility does not comply with the parking standards listed in Title 19.10; a Variance application (VAR-14251) has been submitted to address this issue.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Social Service Provider use, nor are there any other Social Service Providers within the notification area.

Title 19.04 does not list any minimum standards that apply to the Social Service Provider use.

**B) General Analysis and Discussion**

•Zoning

The subject property is proposed to be rezoned to C-1 (Limited Commercial) to allow the Social Service Provider use. Social Service Provider facilities are only allowed in commercial zoning districts. The proposed rezoning is consistent with the MXU (Mixed Use) land use designation.

•Use

The applicant has been offering immigration services, food and housing assistance, and HIV prevention services at the facility since 2000. These services are in addition to the existing daycare services, and are housed in an area of the building that is separate from the daycare facility. The separation of the two different uses within the building is sufficient to minimize or prevent any issues with the safety of the children in the daycare facility. The uses are operated from 6:00 a.m. until 6:00 p.m. Monday through Friday; no evening or weekend hours are anticipated.

- Conditions

Title 19.04 does not list any minimum conditions that must be satisfied to permit the proposed use, and no additional conditions of approval are necessary.

## FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 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 Social Service Provider use has been in operation on the site since 2000, and there is no evidence of impacts to adjoining properties. The subject site is surrounded by multifamily uses, community center facilities, and commercial uses, and the Social Service Provider use is consistent with the General Plan land use designation.

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

The subject site is generally adequate for the uses intended for the site. The facility will require the approval of a Variance (VAR-14251), as the property does not comply with the parking requirements listed in Title 19.10.

- 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.**

The subject property has access to Maryland Parkway and Rue 13, both of which are designated as 80-foot wide Secondary Collectors on the Master Plan of Streets and Highways.

- 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 use will not be inconsistent with the General Plan, nor will it compromise public health, safety, or welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 17

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 219 by City Clerk

**APPROVALS** 0

**PROTESTS** 0