

AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 15, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-20052 - APPLICANT/OWNER: CLOUDBREAK LAS VEGAS, LLC

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-21991), Variance (VAR-19665), Variance (VAR-19666), Special Use Permit (SUP-19661), Vacation (VAC-19669), Waiver (WVR-19668), and Site Development Plan Review (SDR-19659) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. 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 ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for a proposed Social Service Provider use within an existing multi-family residential/single room occupancy residential building that is proposed for expansion on 2.30 acres at 525 East Bonanza Road and 602 Encato Drive. This use permit would allow this location to serve as the operations/program site for the United States Veterans Initiative.

The applicant indicates that the existing building will be expanded to include 77 new residential units, 3,506 square feet of new dining and kitchen facilities, and 4,913 square feet of new office space/support facilities. Further, the applicant proposes a second, four-story building on the rear of the site that will accommodate an additional 34 residential units. The extent of the changes to the site necessitates a number of deviations from standards that indicate the proposed development is too intense for this site; therefore, staff can not support the siting of this use at this location and denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/19/83	The City Council approved a Rezoning (Z-0076-83) to C-2 (General Commercial) on a portion of the subject site for a proposed hotel. The Planning Commission recommended approval.
08/21/02	The City Council approved a Special Use Permit (U-0077-02) and a Site Development Plan Review [Z-0076-83(2)] for a 216-unit single room occupancy residence, and a Variance (V-0042-02) to allow for reduced parking on a portion of the subject site. The Planning Commission and staff recommended approval.
10/01/03	The City Council approved an Extension of Time (EOT-2778) for the approved Variance (V-0042-02) to allow for a reduction in parking for the 216-unit single room occupancy residence on a portion of the subject site, with an expiration date of August 21, 2004. The Planning Commission and staff recommended approval.
08/18/04	The City Council approved an Extension of Time (EOT-4779) for the approved Variance (V-0042-02) to allow for a reduction in parking and an Extension of Time (EOT-4778) for the approved Site Development Plan Review [Z-0076-83(1)] for the 216-unit single room occupancy residence on a portion of the subject site, with an expiration date of August 21, 2006. Staff recommended approval.

07/12/07	<p>The Planning Commission recommended approval of companion items ZON-21991, WVR-19668, VAR-19665, VAR-19666, SUP-19661, SUP-20822, VAC-19669 and SDR-19659 concurrently with this application.</p> <p>The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #27/rts).</p>
<i>Related Building Permits/Business Licenses</i>	
09/11/91	<p>A business license, H05-01011, for a Hotel - 199 rooms or less category license was re-classified from an A07 (Apartment House) category license by the Department of Finance and Business Services. Due to a change of name and ownership this license was re-issued on 07/24/00. *</p>
03/16/06	<p>A business license, N41-94602, for a NP Social Services category license was processed in by the Department of Finance and Business Services. This license was denied by the Planning and Development Department on 02/06/07, pending approval of a Special Use Permit (SUP-20052) for a Social Service Provider use. This license has not been issued as of 04/09/07.</p>
03/19/07	<p>A business license, N42-91916, for a NP Intermediary Housing category license was processed in by the Department of Finance and Business Services. This license was denied by the Planning and Development Department on 04/04/07, pending approval of a Special Use Permit (SUP-19661) for a Single Room Occupancy Residence use. This license has not been issued as of 04/09/07.</p>
<i>Pre-Application Meeting</i>	
01/22/07	<p>A pre-application meeting was held and elements of this application were discussed. Landscaping requirements and various Public Works concerns were talked about. Submittal requirements were discussed. NOTE: This pre-application meeting occurred prior to the determination that there would be a rezoning request to C-V (Civic) and development standards would be proposed by the applicant.</p>
<i>Neighborhood Meeting</i>	
3/29/07	<p>A neighborhood meeting was held at US. Veteran's Initiative 525 E. Bonanza Road. Seven members of the public attended. The applicant gave a thorough description of the proposed expansion plan and described the services that would be offered. No member of the public had questions or comments about the project. NOTE: This meeting was held prior to the present entitlement application configuration and was based on the C-V (Civic) zoning package.</p>

* This license was issued with no apparent Planning and Development Department review.

Field Check	
03/14/07	The Department of Planning and Development conducted a site visit that found that the site was in operation as a multi-family residential/single room occupancy residence establishment. The social service provider use, United States Veterans Initiative Program, was active and utilizing both this principle site and the neighboring site (610 North Las Vegas Boulevard). The director gave a tour of the facilities used by the program and explained the process for residents to meet the qualifications for admittance.

Details of Application Request	
Site Area	
Gross Acres	2.77
Net Acres	2.30

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Multi-Family Residential/Single Room Occupancy Residence	MXU (Mixed Use) [Proposed PF (Public Facilities)]	C-2 (General Commercial) [Proposed: C-V (Civic)]
	Single Family, Detached	MXU (Mixed Use) [Proposed PF (Public Facilities)]	R-1 (Single-Family Residential) [Proposed: C-V (Civic)]
North	Office, Other Than Listed	MXU (Mixed Use)	C-2 (General Commercial)
	Government Facility	PF (Public Facility)	C-V (Civic)
	Single Family, Detached	MXU (Mixed Use)	R-1 (Single-Family Residential)
South	Multi-Family Residential	MXU (Mixed Use)	C-2 (General Commercial)
	Undeveloped	MXU (Mixed Use)	R-4 (High Density Residential) under Resolution of Intent to C-1 (Limited Commercial)
East	Government Facility	PF (Public Facilities)	C-V (Civic)
West	General Retail, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown North Land Use Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	X		Y
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

ANALYSIS

The subject site is located on the Southeast Sector Map of the General Plan. The site is designated as MXU (Mixed Use) on the Redevelopment Plan Area Map of the General Plan. This category allows for a mix of uses that are normally allowed within the L (Low Density Residential), ML (Medium Low Density Residential), M (Medium Density Residential), H (High Density Residential), O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The project proposes to expand the existing multifamily/single room occupancy residential establishment that provides an affordable housing option in the area and provides a veterans service program on the 2.77 acres project site. The veterans service program is deemed a social service provider use. The proposed expansion of the existing multi-family residential/single room occupancy residence use and the addition of the social service provider use are permissible under the MXU (Mixed Use) designation.

The companion Rezoning (ZON-21991) proposes to change a portion of the project sites zoning from R-1 (Single Family Residential) to C-2 (General Commercial). The proposed C-2 (General Commercial) zoning district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The existing and proposed uses established at this location are permissible, with the approval of a Special Use Permit (SUP-19661 and SUP-20052), in a C-2 (General Commercial) zoning district which is compatible with the MXU (Mixed Use) General Plan designation.

The site is within the McCarran International Airport Overlay Map portion of the Airport Overlay District. This is a developed site with an overlay height limitation of 200 feet and is in compliance with Title 19.06.080.

The site encompasses two parcels with a proposed building built at the lot lines. Additionally, should the parcels in the future become separate developments the site will be placed out of conformance with the development standards for the C-2 (General Commercial) zoning district. For this reason a condition has been added to the Site Development Plan Review (SDR-19659) that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

A Social Service Provider is defined as a facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. This use includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter. To locate a Social Service Provider use in a C-2 (General Commercial) zoning district a special use permit must be approved by the City.

The applicant states that the site is to be used to provide life skills teaching and other resources to assist veterans in maintaining independent living. The goal is to help veterans acquire permanent housing and employment. Prospective veterans are screened to ensure they meet the criteria for assistance. A qualified veteran may use the program services and use of the sites single room occupancy residence housing option for up to two years as a part of their enrollment in United States Veterans Initiative Program. This meets the definition of a Social Service Provider.

- Conditions

Pursuant to Title 19.04 there are no standard conditions that apply to the Social Service Provider use.

This special use permit has been submitted in conjunction with a proposed General Plan Amendment (GPA-20611) to change the designation to PF (Public Facilities) which is being withdrawn; Rezoning (ZON-19662) to change to C-V (Civic) zoning which is being withdrawn; Rezoning (ZON-21991) to change to C-2 (Civic) zoning; Special Use Permit (SUP-19661) to allow the expansion of the Single Room Occupancy Residential use; a Site Development Plan Review (SDR-19659) for a proposed expansion of 36,084 square feet to an existing building and to site a new 13,786 building; a Waiver of Title 18.12.130 (WVR-19668) to allow a dead-end street after the vacation of a portion of Encanto Drive; and a Vacation (VAC-19669) of approximately 101 feet of Encanto Drive.

The development is providing a needed and valuable service by providing an affordable housing option in the form of the multi-family residential/single room occupancy residence establishment. Further, the proposed inclusion of the on-site social service provider use provided by the United States Veterans Initiative Program, offers specific, tailored resources to the areas qualified veteran community. However, the project as proposed within the proposed C-2 (General Commercial) zoning district is not compatible with the existing residential developments in the area; therefore, staff is recommending denial of this Special Use Permit.

FINDINGS

The following findings must be made for a Special Use Permit:

- 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.**

While the site is within a predominately MXU (Mixed Use) and PF (Public Facilities) designated area, the subject proposal will not be harmonious and compatible with existing surrounding land uses, specifically the neighboring residential uses, and with potential future uses as projected by the General Plan.

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

A social service provider at this location will not greatly affect the intensity of uses on the site; however, the physical expansion of the building to house this use is too intense for the proposed zoning district.

- 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 site is served by East Bonanza Road (a 100-foot wide primary arterial street). This thoroughfare can accommodate the proposed social service provider 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 request will not compromise the public health, safety or welfare of the general public and will not jeopardize the overall objectives of the General Plan.

- 5. The use meets all of the applicable conditions per Title 19.04.**

Pursuant to Title 19.04 there are no standard conditions that apply to the Social Service Provider use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 207 by City Clerk

APPROVALS 2

PROTESTS 1