



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: FEBRUARY 28, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SUP-23603 - APPLICANT: NEW GENESIS -**

**OWNER: GBSS PROPERTIES, LLC**

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

**STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:

**Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for Rescue Mission or Shelter for the Homeless use.
2. Conformance to the conditions for Rezoning (Z-0100-64) if approved.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

**PROJECT DESCRIPTION**

This application is a request for a Special Use Permit to allow the operation of a Rescue Mission or Shelter for the Homeless at 319 South Main Street. The applicant proposes to use an existing hotel building as a Homeless Shelter for a temporary period while the property owner attempts to sell the property. In addition to the proposed Rescue Mission, the applicant is also submitting a related Special Use Permit (SUP-23594) for a Social Service Provider on the neighboring property and Rescue Mission or Shelter for the Homeless use (SUP-23586) located in a hotel at 307 South Main Street.

Staff finds that the proposed use, although described as temporary in nature, is not compatible with the active license for alcohol sales at the neighboring property, nor is the condition of the proposed location entirely fit for habitation. Therefore, staff recommends denial of this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
12/16/64	The City Council approved a request for rezoning from R-1 (Single Family Residential), R-4 (High Density residential), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic), to C-2 (General Commercial) on 230 acres on property bounded by Main Street to the west, Bonanza Road to the north, and Las Vegas Boulevard to the east, and Charleston Boulevard to the south. The Planning Commission approved this request on 12/10/64. Staff recommended approval.
11/29/07	The Planning Commission accepted the applicants request for an abeyance to the 1/24/08 Planning Commission Meeting.
<b><i>Related Building Permits/Business Licenses</i></b>	
5/10/07	Business License #H05-00080 issued for a 38-unit Hotel at 319 South Main Street
6/20/06	CS-INSP #67856: Customer service inspection request issued to address non-functional smoke detectors in rooms for 319 South Main Street. This inspection was closed upon demonstrated compliance on 6/22/06.
<b><i>Pre-Application Meeting</i></b>	
6/28/07	A pre-application meeting was held with staff to discuss the process for requesting Special Use Permits in order to satisfy licensing requirements for both a Rescue Mission and a Social Service Provider use.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting was not required, nor was one held.	



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<b>Field Check</b>	
10/30/07	<p>A field check was performed by staff at 307, 311, and 319 South Main Street with the following observations made:</p> <ul style="list-style-type: none"> <li>• Concertina and barbed wire located sporadically at the front, sides, and back of all three properties</li> <li>• Windows boarded with plywood on portions of the 319 South Main Street Property.</li> <li>• Signage advertising liquor and beer for defunct store located at 311 South Main Street.</li> <li>• Trash and debris located on inaccessible portion of 307 South Main Street courtyard.</li> <li>• Signage advertising applicants services and individuals residing on site.</li> </ul>

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	0.23 acres

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Motel	C (Commercial)	C-M (Commercial/Industrial)
North	Motel/Market	C (Commercial)	C-2 (General Commercial)
South	Electrical Sub-Station	C (Commercial)	C-M (Commercial/Industrial)
East	Motel	C (Commercial)	C-2 (General Commercial)
West	Parking lot	C (Commercial)	C-M (Commercial/Industrial)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<b>Special Districts/Zones</b>			
<b>Special Purpose and Overlay Districts</b>			
Downtown Overlay District	X		Y
Live/Work Overlay District	X		Y
<b>Trails - Monorail</b>	X		Y
<b>Rural Preservation Overlay District</b>		X	NA
<b>Development Impact Notification Assessment</b>		X	NA
<b>Project of Regional Significance</b>		X	NA

**DEVELOPMENT STANDARDS**

<i>Parking Requirement - Downtown</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Base Parking Requirement</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Rescue Mission or Shelter for the Homeless (319 S. Main St)	37 beds	1 space per 4 beds, or 1 space per 750 SF GFA	9	1	9	1	
<b>SubTotal</b>			10		10		
<b>TOTAL</b> (including handicap)			10 spaces		10 spaces		Y

**ANALYSIS**

- **Land Use and Zoning**

The applicant is proposing a Rescue Mission or Shelter for the Homeless use located at 307 South Main Street in conjunction with the related Special Use Permit request (SUP-23586) for a Social Service Provider within the same building. There is an additional Special Use Permit request (SUP-23594) for a Rescue Mission or Homeless Shelter use located on adjacent property at 307 South Main Street. The subject site is located within the Las Vegas Downtown Centennial Plan where the permissible uses are referenced to Title 19.10.010. A Rescue Mission or Shelter for the Homeless use is allowed upon approval of a Special Use Permit in the C-2 (General Commercial) Zoning District. Staff finds that this proposal does not adhere to the intent of the Special Area Plans listed below, nor does it offer a safe environment to operate from. Therefore, staff recommends denial of this request and the related Special Use Permit requests (SUP-23594 and SUP-23603) for the affiliated Social Service Provider and the Rescue Mission.

*Special Area Plans*

- **Downtown Centennial Plan**

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Office Core District. The district is intended to accommodate a variety of commercial, hotel, casino, and mixed-use uses within a dense, urban environment. The proposed project is not consistent with the goals and objectives of the Downtown Centennial Plan in that no improvements to remediate the poor condition of the subject site have been stated.

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- **Redevelopment Plan Area**

The subject site is located within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed uses are in conformance with the Redevelopment Plan. However, regarding the nature of the proposed use, in conjunction with the poor condition of the subject property, staff finds that this will create a detriment to ongoing redevelopment efforts.

## **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.**

Staff has determined that the proposed is Rescue Mission or Shelter for the Homeless cannot be conducted in a manner that is harmonious with the surrounding land use and the various Special Area Districts. Although there are no minimum conditional requirements for the proposed use, staff has concerns regarding the compatibility with the existing liquor use located on the same site and the safety of portions of the buildings that are in disrepair. Staff recommends denial of this proposal, as there are no plans to improve the existing facilities for this proposal, or the other two related Special use Permit requests.

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

The proposed location does not present a suitable location for the Rescue Mission or Shelter for the Homeless use as there is still an active liquor license (L15-00021) maintained at the closed market located on the neighboring property at 311 South Main Street. There are also outstanding issues regarding the safety of the existing facilities, as some portions of the buildings are boarded up and under disrepair. There are also multiple areas with concertina and barbed wire located at the top of walls and fences.

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 for this proposal is accessed primarily by Main Street, classified as a 60-foot wide Collector Street, with secondary access provided by a 20-foot wide alleyway to the east. Staff finds that access to the subject site would be primarily pedestrian in nature, considering the clientele that will utilize the services provided.

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- 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.**

Staff does not find this proposal to be consistent with the public health, safety, and welfare, as the location has buildings unfit for this type of use. Additional consideration has been given regarding the temporary nature of the request stated by the applicant and that a plan towards refurbishing the existing structures has not been provided.

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

There are no conditions listed for the Rescue Mission or Shelter for the Homeless use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16**

**ASSEMBLY DISTRICT 9**

**SENATE DISTRICT 3**

**NOTICES MAILED 44**

**APPROVALS 0**

**PROTESTS 1**