



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: FEBRUARY 20, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-25599 - APPLICANT: NEVADA HEALTH CENTERS, INC.**  
**- OWNER: AMCOR PROPERTIES, LLC**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 6, 2008 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

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

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

**Planning and Development**

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Social Service Provider use, including parking requirements.
2. Signage shall be posted requiring no loitering on the premises.
3. The reception area shall provide sufficient space to accommodate clients.
4. Hours of operation shall be limited from 7:30 a.m. to 4:30 p.m., Monday through Friday.
5. 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.
6. 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 a Social Service Provider to operate within an existing office building located at 3233 West Charleston Boulevard, Suite #204.

The applicant is a nonprofit organization that provides free nutritional education and counseling to women and children under the age of five. The proposed location is within an office center along Charleston Boulevard, within a mile of the University Medical Center. Staff recommends approval.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
6/19/02	The City Council approved a request to amend portions of the Southeast Sector map (GPA-0047-01) of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to DR (Desert Rural Density Residential) and; and from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan. The Planning Commission was unable to achieve a supermajority vote for this request and was forwarded to City Council with a recommendation for denial.
01/10/08	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #42/mh).
<b><i>Related Building Permits/Business Licenses</i></b>	
10/05/92	Plan Check #L-1271-92: Tenant improvement approved for an outpatient clinic at 3233 West Charleston boulevard, suites #204 and #205.
6/28/07	Business License #N33-00019: Denied by Planning and Development as a Special Use Permit is required for a Non-Profit Counseling service at 3233 West Charleston Boulevard, Suite #204.
<b><i>Pre-Application Meeting</i></b>	
11/07/07	A pre-application meeting was held with staff where the applicant explained the intent to provide nutritional counseling and assistance to the caregivers of infants and children up to five-years in age. The applicant explained that a staff of six to seven will provide 15-minute appointments to an average of 30 to 35 clients per day.

<b><i>Neighborhood Meeting</i></b>	
12/13/07	<p>An optional Neighborhood Meeting was held at 3233 West Charleston Boulevard, Suite 204, from 5:30pm until 6:00 pm. The following comments and questions were raised during the meeting:</p> <ul style="list-style-type: none"> <li>• The applicant noted that they had been providing WIC services at the subject location since July, and that they had moved their office from a shopping center approximately one mile to the west.</li> <li>• The applicant also noted that their office hours are from 7:30am to 4:30 pm, with appointments every 15 minutes, and occasional classes.</li> <li>• A resident noted concerns about the type of clientele coming into their neighborhood, and questioned why the office couldn't be located somewhere closer to the demographics of the users.</li> <li>• A concern was noted that the use would draw a homeless population to the neighborhood.</li> <li>• A resident commented that <i>Choices</i> was already in the neighborhood, and that its presence will spur additional opposition to the WIC office.</li> <li>• One resident didn't have an issue with the use, as long as it stayed strictly to the WIC program.</li> <li>• Residents were concerned about ingress and egress at the site, and also worried about overflow parking on the street.</li> <li>• A resident stated that he didn't want this use in his immediate backyard</li> </ul>
<b><i>Field Check</i></b>	
12/7/07	<p>A field check was performed by staff with the following observations:</p> <ul style="list-style-type: none"> <li>• Closest bus stops located at Valley View Boulevard and Rancho Drive, approximately ¼ mile and ½ mile away, respectively.</li> <li>• Proposed office suite has access at the rear of the property, adjacent to the single-family residence to the south.</li> <li>• Parking spaces provided at the rear of the building, adjacent to the single-family residence to the south.</li> <li>• Existing 6-foot (approximate) screen wall located at the rear of subject property.</li> </ul>

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	0.48 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	O (Office)	C-D (Designed Commercial)
North	ROW/ Office	ROW/ O (Office)	ROW/ C-D (Designed Commercial)
South	Single Family Residence	DR (Desert Rural Residential)	R-E (Residence Estates)
East	Office	O (Office)	C-D (Designed Commercial)
West	Single Family Residence	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District 175 feet	X		Y
<b>Trails</b>		X	NA
<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**

*Pursuant to Title 19.10, the following parking standards apply:*

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Social Service Provider	2,400 SF	1 space per 300 SF GFA	7	1	70	4	
<b>TOTAL (including handicap)</b>			8		74		Y

## ANALYSIS

- **Land Use and Zoning**

The subject site is located within the C-D (Designed Commercial) Zoning District and is in conformance with the existing O (Office) General Plan Land Use Designation. The Social Service Provider use is permitted in areas zoned C-D (Designed Commercial) upon City Council approval of a Special Use Permit.

- **Conditions**

Per Title 19.04.010, the Social Service Provider use does not have Minimum Special Use Permit Requirements. However, staff recommends the following conditions so as to ensure that the use remains compatible with the adjacent single-family residences to the west and south of the subject property:

- Hours of operation are 7:30 a.m. to 4:30 p.m., Monday through Friday.
- Signage shall be posted requiring no loitering on the premises.
- The reception area shall provide sufficient space to accommodate clients.

## 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.**

The proposed Social Service Provider use will be located within an existing office center and has provided the appropriate amount of required parking. The location of the proposed use faces towards Charleston Boulevard, behind a parking lot. Staff finds that this use, upon conformance with the required conditions of approval, can be operated in a manner that is compatible with the existing and future surrounding land uses in the area.

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

The subject site is an existing Medical Office building and can readily accommodate the Social Service Provider use, which is similar in intensity to the Medical Office use. The previous occupants of the proposed suite operated an outpatient surgery clinic.

**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.**

Vehicular access to the subject site is provided by Charleston Boulevard, a 100-foot Primary Arterial, as categorized by the city's Master Plan of Streets and Highways. Secondary access is provided by Cashman Drive, categorized as a 60-foot wide Local Street by the city's Master Plan of Streets and Highways. Charleston Boulevard is also served by the Citizen Area Transit Bus Route #126 with the closest bus stops located at Valley View Boulevard (Route #104) and Rancho Drive (Route #403).

**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 Social Service Provider use seeks to provide nutritional counseling to the caregivers of infants and children up to five-years old. The applicant is a Federally-funded organization that seeks to improve the public health, safety, and welfare of a portion of the public that does not have access to adequate nutrition. Staff is aware of the concerns from the neighboring single family properties to the south and the west of this property. Therefore, staff has conditioned the approval of this request pending the provision of adequate indoor waiting areas and the prevention of outdoor queuing or loitering.

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

There are no applicable conditions listed for the Social Service Provider use in the C-D (Designed Commercial) Zoning District. However, specific conditions regarding the hours of operation, provision of an indoor waiting area that will accommodate the maximum expected amount of clients, and the posting of signage prohibiting public loitering, have been placed on this request.

**PLANNING COMMISSION ACTION**

There were six speakers in opposition and two speakers, both employees in favor of this application. The speakers in opposition cited on-going maintenance problems, parking and loitering.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

19

**ASSEMBLY DISTRICT**      9

**SENATE DISTRICT**      3

**NOTICES MAILED**            191

**APPROVALS**                    0

**PROTESTS**                     3