



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: APRIL 10, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SUP-27077 - APPLICANT/OWNER: DOWN SYNDROME**  
**ORGANIZATION OF SOUTHERN NEVADA**

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

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-27075).
2. Maintain and install 24-inch box trees 30 feet on center along the north and east property lines.
3. Compliance with the sign standards listed in Title 19.14.060 for O (Office) zoning district.
4. 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.
5. 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 for a Social Service Provider located at 5300 Vegas Drive. The applicant is requesting this Special Use Permit to accommodate an existing Social Service Provider which has been operating from the subject site since 1998. A Rezoning (ZON-27075) has been submitted to change the zoning of the subject site from P-R (Professional Office and Parking) to O (Office) as a companion item to this Special Use Permit. The rezoning request is necessary as a Social Service Provider use is not permitted within the P-R (Professional Office and Parking) zone. As the applicant has operated a non-profit Downs Syndrome organization at the subject site since 1998 without neighborhood complaint and the Social Service Provider use is consistent with the O (Office) General Plan designation, staff recommends approval of this request.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
12/30/94	The City Council approved a Petition to Annex [A-0023-94(A)] the subject property into the city of Las Vegas.
01/14/95	The City Council approved a Rezoning (Z-0147-94) of the subject property and adjacent parcels to the north and west from R-1 (Single Family Residential) and R-E (Residence Estates) to P-R (Professional Offices and Parking) and R-CL (Single Family Compact-Lot). The Planning Commission and staff recommended approval.
11/14/96	The City Council approved a request for a Reinstatement and Extension of Time [Z-0147-94(1)] for a Rezoning of the subject property. The Planning Commission and staff recommended approval.
03/27/98	The City Council approved a request for a Reinstatement and Extension of Time [Z-0147-94(2)] for a Rezoning of the subject property. The Planning Commission and staff recommended approval.
<b><i>Related Building Permits/Business Licenses</i></b>	
09/18/07	A business license application (#N31-96162) was received to allow a non-profit organization administrative office on the subject site. The license was denied 10/23/07 due to incompatible zoning.
11/09/00	The Building and Safety Department issued a building permit (#00020512) for interior demolition. The permit expired 05/12/01.
06/10/98	The Building and Safety Department issued a building permit (#98012147) for onsite improvements and a parking lot.
<b><i>Pre-Application Meeting</i></b>	
02/06/08	A pre-application meeting was held with the applicant where elements of the Rezoning application and Special Use Permit application were discussed.

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<b>Neighborhood Meeting</b>	
A neighborhood meeting is not required nor was one held.	
<b>Field Check</b>	
03/04/08	A field check was performed at the subject property. The site was noted as having an adequate sized parking lot, well kept landscaping and no graffiti. A non-permitted temporary sign (banner) was noted hanging in front of the building.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Gross Acres	0.58

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Non-Profit Facility	O (Office)	P-R (Professional Office and Parking)
North	Vacant Land; Vacant Land w/ Storage Shed	L (Low Density Residential)	R-1 (Single Family Residential) and R-E (Residence Estates)
South	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Temporary Assistance Domestic Crisis Center Offices	R (Rural Density Residential)	R-E (Residence Estates)
West	Professional Offices	O (Office)	P-R (Professional Office and Parking)

<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Area Plan</b>		X	N/A
<b>Special Districts/Zones</b>	<b>Yes</b>	<b>No</b>	<b>Compliance</b>
<b>Special Purpose and Overlay Districts</b>			
A-O Airport Overlay District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>	X		Y*

\*\* The Project of Regional Significance was submitted and sent out on 03/05/08. No comments have been received from the agencies notified.

**DEVELOPMENT STANDARDS**

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

<b>Parking Requirement</b>							
<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	5,425 SF	1 space / 300 SF	18	1	26	2	
<b>TOTAL</b>			19		28		Y

**ANALYSIS**

- Zoning**

The subject property is currently zoned P-R (Professional Office and Parking). The applicant has submitted a Rezoning (ZON-27075) as a companion item to this Special Use Permit to rezone the property to O (Office). The rezoning of this parcel to O (Office) will be consistent with the existing General Plan designation of O (Office) whose permitted uses include civic, social and non-profit organizations. A Social Service Provider is permitted in the O (Office) district with the approval of a Special Use Permit.

- Use**

A Social Service Provider is defined in Title 19.20 as a facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term 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, or an adult day care center.

The applicant is requesting a Special Use Permit for a Social Service Provider to be located at the subject property. The subject property will be used for a non-profit Downs Syndrome facility. The applicant has been operating out of the facility since 1998, and was recently denied a business license for a non-profit organization due to inadequate site zoning. The applicant desires to abide by the City's zoning requirements and has requested the Rezoning and Special Use Permit necessary to continue operations at the existing facility. The facility currently provides administrative offices for the non-profit organization, speech and aerobic therapy for those affected with Downs Syndrome, various support meetings and social events.

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The site plan indicates that the first floor of the facility will be used for a meeting room, a play room, storage, a combination dining and meeting room and a kitchen facility. The second floor contains two offices, a speech therapy room and a yoga therapy room. The applicant has indicated that the site is used primarily during daytime business hours, with the exception of six annual nighttime social events.

The exterior of the building and parking lot area was noted as being neat, free of debris and graffiti and the landscape was well kept. A non-permitted temporary sign (banner) was noted as hanging from the exterior of the building. A condition has been added requesting that the applicant comply with the Title 19.14.060 Sign Standards for the O (Office) zoning district. In reviewing the previous case associated with the initial Rezoning (Z-0147-94) of the subject parcel from R-E (Residence Estates) to P-R (Professional Office and Parking) one of the original Conditions of Approval required 24 inch box trees to be installed 30 feet on center along the north and east property lines of the subject parcel. While the landscape on site was well kept, it was noted that approximately three trees are now missing from the 30-foot on center spacing along the north and east property lines. A condition has been added requiring the applicant to maintain and install 24-inch box trees 30 feet on center along the north and east property lines.

- **Conditions**

There are no base conditions for consideration of a Special Use Permit for a Social Service Provider. However, the following data has been supplied that could potentially limit the use:

- The building is used as a club center, with activities taking place on site roughly three days during the week and general office usage occurring on a daily basis. Activities can take place during the daytime or evening hours, however the applicant has indicated that evening hour events occur roughly once every two months.

## **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 Social Service Provider use proposed for this site can be conducted in a manner that is harmonious and compatible with the existing uses that surround it. The use has been in operation at the subject site for the last ten years without neighborhood complaints. In addition, another Social Service Provider is located adjacent to the east of the subject property.

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

The subject site has operated as a non-profit facility since 1998. The intensity of the use on site will not change according to the applicant.

**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 site is adjacent to Vegas Drive, an 80-foot wide secondary collector street that will provide adequate access to the use located onsite.

**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 General Plan designation for the subject site is O (Office) which is designated to accommodate civic, social, fraternal and other non-profit organizations. As this proposed use meets the intent of the O (Office) General Plan designation, approval of this Special Use Permit will not compromise the public health, safety and welfare.

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

There are no base conditions for consideration of a Special Use Permit for a Social Service Provider. Conditions have been added requiring 24 inch box trees spaced 30 feet on center along the north and east property lines as well as compliance with Title 19.14 Sign Standards.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13**

**ASSEMBLY DISTRICT 6**

**SENATE DISTRICT 4**

**NOTICES MAILED 376**

**APPROVALS 2**

**PROTESTS 2**