



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 7, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-27067 - APPLICANT/OWNER: I.B.E.W. LOCAL 357

**** CONDITIONS ****

The Planning Commission (4-1/sd-1/gt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-27068) and Site Development Plan Review (SDR-27066) if approved.
2. This approval permits a deviation from LVMC Title 19 parking requirements to allow 227 parking spaces where 277 parking spaces would otherwise be required.
3. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to allow a deviation from standards for parking in connection with a proposed two-story, 35,000 square-foot office building and meeting hall for as a private club, lodge or fraternal organization on 3.30 acres at the northwest corner of Lamb Boulevard and Harris Avenue. Specifically, this application requests a deviation to allow a total of 227 parking spaces where 277 spaces are required for the proposed use.

The proposed office and private club, lodge or fraternal organization uses have a parking requirement of one space per 300 square feet of gross floor area of office area and one space per 50 square feet of gross floor area of assembly area. The building has a kitchen, workout room, assembly hall, and various organization offices. The applicant has indicated the parking demand at this location will be proportional to the demand at the existing union hall, which has an average usage rate approximately 45 percent. This development operates a unique enterprise that while requiring a significant amount of space, creates a minimal amount of vehicular traffic in the course of a typical business day due to the limited membership base and therefore merits a variance from the strict application of the parking requirements of the combined Office, Other Than Listed and Private Club, Lodge or Fraternal Organization uses. The recommendation is for approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/19/69	The City Council approved a request for a Rezoning (Z-0010-69) from: R-E (Residence Estates), R-T (Residential), and C-1 (Limited Commercial) to: C-1 (Limited Commercial), R-MHP (Residential Mobile/Manufactured Home Park) on the west side of Lamb Boulevard between Washington Avenue and Harris Avenue.
05/18/05	The City Council approved a request for a General Plan Amendment (GPA-6191) from SC (Service Commercial) to M (Medium Density Residential) on, a Rezoning (ZON-6192) from C-1 (Limited Commercial) and R-MHP (Residential Mobile/Manufactured Home Park) to R-3 (Medium Density Residential), and a Site Development Plan Review (SDR-6193) for a 60-unit condominium project on 4.07 acres adjacent to the northwest corner of Lamb Boulevard and Harris Street.
12/15/05	The Planning Commission approved a request for a Tentative Map for a 60-unit condominium development and a waiver of Title 18.12.100 to allow 28-foot wide private streets where 39-foot wide streets with rolled curbs is the minimum required on 4.07 acres at the northwest corner of Lamb Boulevard and Harris Avenue.

04/10/08	The Planning Commission recommended approval of companion items GPA-27069, ZON-27068 and SDR-27066 concurrently with this application. The Planning Commission voted 4-1/sd-1gt to recommend APPROVAL (PC Agenda Item #13/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to the proposed development.	
<i>Pre-Application Meeting</i>	
02/07/08	A pre-application meeting was held and elements of this application were discussed. Parking ratios and submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
03/12/08	A neighborhood meeting was held at the I.B.E.W Old Union Hall, 4322 East Bonanza Road. No members of the public attended the meeting. There were ten representatives of the applicant and one member of the Planning and Development staff in attendance along with member of the union. The architect gave a presentation to the union members and answered their questions.

<i>Field Check</i>	
03/07/08	The Department of Planning and Development conducted a site visit that found that the site contains two undeveloped parcels. There was temporary chain link fencing around the perimeter of the site. There are several mature trees on-site. Some trash and debris had collected at the edges of the site.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	3.3

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential) [Proposed: SC (Service Commercial)]	C-1 (Limited Commercial) and R-MHP (Residential Mobile/ Manufactured Home Park) [Proposed: C-1 (Limited Commercial)]
North	Mobile Home Park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile/ Manufactured Home Park)
South	Union Hall	SC (Service Commercial)	C-1 (Limited Commercial)
East	General Retail Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Mobile Home Park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile/ Manufactured Home Park)

	Single Family, Detached	SC (Service Commercial)	R-CL (Single Family Compact-Lot)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	n/a
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	n/a
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

DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	25,908 SF	1 Space / 300 SF GFA	83 Spaces	4 Spaces	128 Spaces	4 Spaces	N *
Private Club, Lodge or Fraternal Organization	9,500 SF	1 Space / 50 SF Assembly Area	184 Spaces	6 Spaces	91 Spaces	4 Spaces	N *
Sub-Total			267 Spaces	10 Spaces	219 Spaces	8 Spaces	N *
TOTAL (including handicap)	35,408 SF		277 Spaces		227 Spaces		N *
Loading Spaces	35,408 SF	3 Spaces @ 30,000 to 50,000 GFA	3 Spaces		3 Spaces		Y
Percent Deviation			18% Reduction				

- * This request, if approved, will grant relief from the city standard. This request, to allow 227 total parking spaces to be provided where 277 spaces would otherwise be required, will not create any substantial detriment to the public good, substantial impairment of affected natural resources or substantially impair the intent and purpose of any ordinance or resolution due to the unique nature of the operation. Further, the applicant maintains an existing facility at the southern edge of the block to the south that, should the need arise will be used as off-site parking.

ANALYSIS

The subject properties are located within the boundaries of the Southeast Sector Map of the General Plan. A proposed General Plan Amendment (GPA-27069), if approved, would allow an SC (Service Commercial) land use designation. The project proposes a two story office building intended as a private club, lodge or fraternal organization, northwest corner of Lamb Boulevard and Harris Avenue. The proposed development is in compliance with the proposed SC (Service Commercial) General Plan designation.

There is a Rezoning (ZON-27068) proposed to change the zoning of the subject site from C-1 (Limited Commercial) and R-MHP (Residential Mobile/Manufactured Home Park) to C-1 (Limited Commercial). The proposed Office, Other Than Listed and Private Club, Lodge or Fraternal Organization use (i.e. union hall) is permissible in a C-1 (Limited Commercial) zoning district which is compatible with the proposed SC (Service Commercial) General Plan designation.

This variance has been submitted in conjunction with a General Plan Amendment (GPA-27069) to change the land use designation to SC (Service Commercial), Rezoning (ZON-27068) to C-1 (Limited Commercial), and a Site Development Plan Review (SDR-27066) for the siting of the 35,000 square-foot building.

There is no parking calculation specific to the unique activities of a union hall. The nearest similar uses, Office, Other Than Listed and Private Club, Lodge or Fraternal Organization, are therefore used, based on the gross square-footage of the specific use as identified - 25,908 square feet for the office functions and 9,500 square feet for the assembly room. Therefore, the proposed development requires 277 parking spaces. The proposed union hall building has general parking on the southern portion of the site and gated parking to the west and north of the building. The first floor of the building includes the assembly area for the meeting hall, kitchen, and the operational office areas for the union. The second floor will contain individual offices, a small workout room with shower and support facilities. This request, to allow 227 total spaces, is a reduction in the number of required parking spaces by approximately 18 percent. The applicant has indicated that parking utilization at their existing union hall facility is approximately 45 percent and that the provided parking will be sufficient to meet their memberships needs as this is not a general public type of operation. Further, the applicant has indicated that an off-site parking location, their current union

hall, will be used to supplement the on-site parking should the need ever arise. Title 19.10.010 (H) (1) makes provisions for an alternative parking arrangement of this nature; however, the existing site, while on the neighboring block to the south, is greater than the 300 feet distance separation allowed for under this alternative to meeting the on-site parking standard.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.

Additionally, Title 19.18.070L states:

Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.

The unique nature of a union hall is distinct from a typical office or meeting facility use as the primary users of the site are generally limited to members of a specific professional trade and not the general public. This type of operation has a limited population that requires access to the facilities on a regular basis and thus, as noted by the applicant, would lend itself to creating a site that is over parked based on usage even if under parked by the strict application of the parking standard requirements of the Office, Other Than Listed and Private Club, Lodge or Fraternal Organization uses. The relief granted will not create any substantial detriment to the public good, substantial impairment of affected natural resources or substantially impair the intent and purpose of any ordinance or resolution. Therefore, staff finds there is merit for a variance in this case due to the distinctive nature of the operation and recommends approval of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 14

SENATE DISTRICT 10

NOTICES MAILED 343 by City Clerk

APPROVALS 2

PROTESTS 2