



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 7, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-27075 - APPLICANT/OWNER: DOWN SYNDROME
ORGANIZATION OF SOUTHERN NEVADA

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from P-R (Professional Office and Parking) to O (Office) on 0.58 acres at 5300 Vegas Drive. The applicant is requesting the Rezoning to accommodate a Special Use Permit for an existing Social Service Provider which has been operating from the subject site. A Special Use Permit (SUP-27077) has been filed as a companion item to this Rezoning. As this proposed Rezoning to O (Office) is consistent with the existing O (Office) General Plan designation, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
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.
04/10/08	The Planning Commission recommended approval of companion item SUP-27077 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #23/dc).
<i>Related Building Permits/Business Licenses</i>	
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.
<i>Pre-Application Meeting</i>	
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.
<i>Neighborhood Meeting</i>	

A neighborhood meeting is not required nor was one held.

Field Check	
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.

Details of Application Request	
Site Area	
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)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (105 Feet)	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		Y*

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

ANALYSIS

The applicant is requesting a Rezoning from P-R (Professional Office) to O (Office). The General Plan Designation for the subject property is O (Office) which provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations. The General Plan is consistent with the O (Office) rezoning request.

The applicant is requesting the Rezoning to allow for a Social Service Provider, which is a permitted use within the O (Office) zoning district with a Special Use Permit. The applicant has owned, occupied and operated a Social Service Provider from the site since 1998, and has recently applied for a non-profit business license. The business license application was rejected due to improper zoning as the Social Service Provider use is not permitted within the existing P-R (Professional Office and Parking) zone. The applicant states that they wish to comply with city codes and regulations; therefore they are seeking this Rezoning to allow their operations to continue on the subject site. As a companion item to this Rezoning, an application has been submitted for a Special Use Permit (SUP-27077) to allow for a Social Service Provider on the subject parcel.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed Rezoning to O (Office) District is consistent with the O (Office) General Plan Designation.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The uses permitted on the subject property by the proposed Rezoning will be compatible with the surrounding land uses and zoning districts. The use has been in operation at the subject for the last ten years without any neighborhood complaints. In addition, another Social Service Provider is located adjacent to the east of the subject property.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

The proposed Rezoning serves a community-wide need for a non-profit organization dedicated to those who are afflicted with Downs Syndrome. The rezoning request is appropriate for the community.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 376 by Planning Department

APPROVALS 2

PROTESTS 2