



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 6, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-33604 - APPLICANT: ANNIE PHILLIPS - OWNER: QUAIL VALLEY VIEW LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Hours of operation shall be limited to 10:00 a.m. to 5:00 p.m., Monday through Saturday.
2. 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.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 500 square-foot Astrologer, Hypnotist, or Psychic Art and Science at 2801 South Valley View Boulevard, Space #13. The subject use will be located within an existing office building that is capable of accommodating a variety of uses. The addition of an Astrologer, Hypnotist, or Psychic Art and Science use within this office building can be conducted in a compatible and harmonious manner with the existing and future uses within the office complex and the surrounding area. Therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/18/87	The City Council approved a Reclassification (Z-0049-87) of property from R-E (Residence Estates) to P-R (Professional Office and Parking), generally located at the northwest corner of Valley View Boulevard and Tara Avenue. This application also served as a Site Development Plan Review for the offices building where the proposed use would be located. The Planning Commission recommended approval.
01/25/90	The Board of Zoning and Adjustment approved a request for a Variance (V-0143-89) to allow a medical clinic to operate on a 24 hour basis, where hours of operation are required to cease by 9:00pm on property located at 2801 South Valley View Boulevard.
08/23/90	The Board of Zoning and Adjustment denied a request for a Variance (V-0094-90) to allow a retail store (Baskets by Design) where retail stores are not permitted.
07/14/05	A request for Rezoning (ZON-6880) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) was tabled at the Planning Commission meeting.
05/17/06	The City Council approved a request to amend a portion of the Southeast and a portion of the Southwest Sector Plan of the General Plan (GPA-12156) from SC (Service Commercial), L (Low Density Residential) and M (Medium Density Residential) to O (Office). The Planning Commission recommended approval.
04/09/09	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #42/jb).
<i>Related Building Permits/Business Licenses</i>	
12/29/88	A building permit (#88009610) was issued for on-site improvements at 2801 South Valley View Boulevard. This permit was finalized on 05/30/89.
12/29/88	A building permit (#88096101) was issued for frame and stucco of a professional office at 2801 South Valley View Boulevard. This permit was finalized on 05/30/89.

01/23/89	A building permit (#89011722) was issued for a masonry wall at 2801 South Valley View Boulevard. This permit was finalized on 05/30/89.
02/13/89	A building permit (#89014100) was issued for a Tenant Improvement at 2801 South Valley View Boulevard, Suite #13. This permit was finalized on 05/30/89.
09/19/89	A building permit (#89039520) was issued for carports at 2801 South Valley View Boulevard. This permit was finalized on 10/06/89.
06/09/93	A building permit (#93189917) was issued to move one wall and relocate outlets at 2801 South Valley View Boulevard, Suite #12. This permit was finalized on 06/18/93.
01/07/00	A building permit (#344) was issued for a Tenant Improvement at 2801 South Valley View Boulevard, Suite #13. This permit was finalized on 02/10/00.
09/12/00	A business license (#M18-01984) was issued for clinic/ lab/ x-rays and imaging at 2801 South Valley View Boulevard, Suite #13. The license was marked out on 04/20/07.
09/15/00	A business license (#C14-00272) was issued for management or consulting service at 2801 South Valley View Boulevard, Suite #13. The license was marked out on 04/20/07.
03/01/05	A building permit (#5001191) was issued for a sign at 2801 South Valley View Boulevard. This permit expired on 12/24/05.
<i>Pre-Application Meeting</i>	
02/17/09	A pre-application meeting was held where the submittal requirements for a Special Use Permit for an Astrologer, Hypnotist, or Psychic Art and Science were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required for this application, nor was one held.	
<i>Field Check</i>	
03/05/09	A routine field check was conducted by staff, upon visiting the proposed site staff observed a well maintained office building.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.22 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office Building	O (Office)	P-R (Professional Office and Parking)
North	Single-Family Residences	L (Low Density Residential)	R-1 (Single Family Residential)
South	Multi-Family Residences	ML (Medium Low Density Residential)	R-PD10 (Residential Planned Development 10 Units per Acre)

East	Multi-Family Residences	M (Medium Density Residential)	R-3 (Medium Density Residential)
	Mobile Home Park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile/ Manufactured Home Park)
West	Multi-Family Residences	ML (Medium Low Density Residential)	R-PD10 (Residential Planned Development 10 Units per Acre)

<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		Y
A-O Airport Overlay District- (200 ft)	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	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Astrologer, Hypnotist, or Psychic Art and Science	500 SF	1:250	2				Y
General Office	24,144 SF	1:300	81				
SubTotal	24,644 SF		83	4	97	7	
TOTAL	24,644 SF		87		104		

ANALYSIS

This request is for a Special Use Permit for a proposed Astrologer, Hypnotist, or Psychic Art and Science use within an existing office complex at 2801 South Valley View Boulevard, Space #13. The subject site is located within an existing office complex which supplies the required amount of parking for this site and is capable of accommodating a variety of uses. The proposed office

space is 500 square-feet with three offices, a reception desk and a bathroom. The addition of an Astrologer, Hypnotist, or Psychic Art and Science within this office building is compatible with the existing and future land uses. Therefore, staff recommends approval.

•Zoning

The subject site is located in the Southeast Sector Map of the General Plan. The site is designated as O (Office). This General Plan category 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 subject site is currently within a P-R (Professional Office and Parking) zoning district and will utilize 500 square feet of office space. The P-R (Professional Office and Parking) district is intended to allow for office uses in an area which is predominantly residential but because of traffic and other factors is no longer suitable for the continuation of low density residential uses. This district is designed to be a transitional zone to allow low intensity administrative and professional offices. These uses are characterized by a low volume of direct daily client and customer contact. To decrease the impact to adjacent residential uses, single-family structures should be retained or new development in the P-R (Professional Office and Parking) district should be constructed to maintain a residential character. The P-R (Professional Office and Parking) district is consistent with the Office category of the General Plan. The proposed use will not change the physical appearance or characteristics of the subject site and is compatible with the surrounding uses in the area. The proposed Astrologer, Hypnotist, or Psychic Art and Science is permissible with approval of this request and would then be consistent with the established O (Office) General Plan designation and P-R (Professional Office and Parking) zoning district.

• Use

Astrologer, Hypnotist, or Psychic Art and Science is defined Any person who practices, teaches, or professes to practice the business of astrology, hypnotism or the psychic arts and sciences for a fee, gift, donation, or otherwise. Psychic arts and sciences may include palmistry, phrenology, life reading, fortune telling, cartomancy, clairvoyance, clairsaudience, crystal gazing, mediumship, prophecy, augury, divination, magic or necromancy. This use does not include a hypnotherapy practice.

•**Minimum Special Use Requirements**

There are no minimum special use requirements for the proposed Astrologer, Hypnotist, or Psychic Art and Science use.

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 land use is compatible with the O (Office) General Plan designation and is located within an existing office building. The use can be conducted in a manner that is harmonious and compatible with the surrounding uses.

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

The proposed Astrologer, Hypnotist, or Psychic Art and Science use will be in conjunction with Office uses within an existing office building, which is physically suitable for the type and intensity of the land use proposed.

- 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.**

Site access is provided from Valley View Boulevard, an 80-foot Secondary Collector, as designated in the Master Plan of Streets and Highways. This street provides adequate access to and from the subject property.

- 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.**

Approval of this Special Use Permit will not compromise public health, safety or welfare as the proposed Astrologer, Hypnotist, or Psychic Art and Science use will subject to regular inspections.

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

There are no conditions for the Astrologer, Hypnotist, or Psychic Art and Science use in Title 19.04.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 8

SENATE DISTRICT 11

NOTICES MAILED 333 by City Clerk

APPROVALS 0

PROTESTS 1