



## **AGENDA MEMO**

**CITY COUNCIL MEETING OF: NOVEMBER 4, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-35755 - APPLICANT: UNITED STATES VETERANS**

**INITIATIVE - OWNER: 610 LLC, ET AL**

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### **\*\* CONDITIONS \*\***

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

#### **Planning and Development**

1. 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.
2. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to or at the time application is made for a business license, to depict actual site conditions for parking and to include handicap accessible spaces in compliance with Title 19.10 requirements.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This request is for a Special Use Permit for a proposed Social Service Provider use within an existing building at 610 North Las Vegas Boulevard. This use permit would allow this location to serve as an auxiliary support services center for the United States Veterans Initiative Program that has its primary location on an adjoining parcel at 525 East Bonanza Road.

The subject site contains two existing buildings: the proposed use would be housed within a 5,475 square foot building situated toward the rear of the property; the other building has been vacant for several years. Staff has determined that the proposed Social Service Provider will be compatible with surrounding uses and is adequately buffered from single-family residences to the east; therefore, approval is recommended. If the Special Use Permit request is denied, the applicant will not be able to obtain a business license for the use at this location and therefore services could not be provided there.

Issues:

- The applicant has obtained a Special Use Permit for and operates existing social services on adjacent properties at 525 East Bonanza Road and 602 Encanto Drive. There is interior access between the subject property and 525 East Bonanza Road.
- A Special Use Permit (SUP-20822) for a Social Service Provider was previously approved on the subject property; however, the use was not legally exercised within one year and therefore the Special Use Permit expired.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc. and Property Sales</i></b> |                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/12/97                                                                                     | A deed was recorded for change of ownership.                                                                                                                                                                                                                                                                                                              |
| 07/18/06                                                                                     | Neighborhood Response accepted a complaint (#193403) concerning graffiti at 610 North Las Vegas Boulevard. The case was resolved 07/18/06.                                                                                                                                                                                                                |
| 08/15/07                                                                                     | The City Council approved a Special Use Permit (SUP-20822) for a Social Service Provider at 610 North Las Vegas Boulevard. The Planning Commission recommended approval. Staff recommended denial. The approval included a one-year review condition; however, no business license was issued for this location. The Special Use Permit expired 08/15/08. |
| 08/15/07                                                                                     | The City Council approved a request for a Rezoning (ZON-21991) from R-1 (Single Family Residential) to C-2 (General Commercial) on 0.21 acres at 602 Encanto Drive. The Planning Commission recommended approval; staff recommended denial.                                                                                                               |

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|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/15/07                                                 | The City Council approved a Waiver (WVR-19668) of Title 18.12.130 to allow Encanto Drive to terminate in a dead end where a cul-de-sac is required adjacent to 602 Encanto Drive and 525 East Bonanza Road. The Planning Commission recommended approval; staff recommended denial.                                                                                                                                                                                                                                                                                                                                                                                                                |
| 08/15/07                                                 | The City Council approved a Variance (VAR-19665) to allow a 10-foot setback from a primary arterial street where 44 feet is the minimum setback required; to allow a 10-foot front yard setback where 20 feet is required and a 8.5-foot side yard setback where 10 feet is required; and to allow a residential adjacency setback of 66.42 feet to the fourth floor where 127.5 feet is the minimum setback required on the north side of the property for a proposed expansion of an existing Multi-Family Residential/Single-Room Occupancy establishment on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive. The Planning Commission recommended approval; staff recommended denial. |
| 08/15/07                                                 | The City Council approved a Variance (VAR-19666) to allow 158 parking spaces where 394 is the minimum required for a proposed expansion of an existing Multi-Family Residential/Single-Room Occupancy establishment on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive. The Planning Commission recommended approval; staff recommended denial.                                                                                                                                                                                                                                                                                                                                          |
| 08/15/07                                                 | The City Council approved Special Use Permits for the proposed expansion of a Single Room Occupancy Residence (SUP-19661) and for a proposed Social Service Provider (SUP-20052) at 525 East Bonanza Road and 602 Encanto Drive. The Planning Commission recommended approval; staff recommended denial.                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/15/07                                                 | The City Council approved a Petition to Vacate (VAC-19669) the south 101 feet of Encanto Drive, commencing approximately 97 feet south of the intersection of Encanto Drive and Wilson Avenue; and a Site Development Plan Review (SDR-19659) and waivers of perimeter landscape requirements for the proposed expansion of an existing Multi-Family Residential/Single-Room Occupancy establishment on 2.77 acres at 525 East Bonanza Road and 602 Encanto Drive. The Planning Commission recommended approval; staff recommended denial.                                                                                                                                                         |
| 09/14/09                                                 | The Planning and Development Department staff administratively approved an Extension of Time (EOT-35354) of a previously approved Petition to Vacate the south 101 feet of Encanto Drive, commencing approximately 97 feet south of the intersection of Encanto Drive and Wilson Avenue. The Vacation will expire 08/15/11 unless another extension of time is approved.                                                                                                                                                                                                                                                                                                                           |
| 10/08/09                                                 | The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #9/ss).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b><i>Related Building Permits/Business Licenses</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 01/11/05                                                 | A building permit (#05000162) was issued for a non-work certificate of occupancy triggered by change of use to an office/meeting hall at 610 North Las Vegas Boulevard. On 01/14/05 the final building inspection failed; the permit subsequently expired on 01/14/06.                                                                                                                                                                                                                                                                                                                                                                                                                             |

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 07/30/09                                                                                                                                                                                                                                                                                                                                                       | Business Services received a complaint (#522251) that there was a possible unlicensed social service provider operating at 610 North Las Vegas Boulevard. The case was resolved 08/28/09. (The applicant applied for an appropriate license, the issuance of which is still pending).                                                                                                                                                                                                                       |
| 08/27/09                                                                                                                                                                                                                                                                                                                                                       | An application for a business license (N31-91205) was submitted for a nonprofit community service. Full review of the license is pending action on the subject Special Use Permit request. There are currently no issued licenses at either 610 North Las Vegas Boulevard or the adjacent 620 North Las Vegas Boulevard.                                                                                                                                                                                    |
| 08/31/09                                                                                                                                                                                                                                                                                                                                                       | An application for a building permit (#B-NWCO-146612) was submitted for a non-work certificate of occupancy at 610 North Las Vegas Boulevard. Planning and Development Department staff denied its review of the application, pending the action taken on the subject request.                                                                                                                                                                                                                              |
| <b><i>Pre-Application Meeting</i></b>                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 08/13/09                                                                                                                                                                                                                                                                                                                                                       | A pre-application meeting was held, where the submittal requirements for a Special Use Permit were discussed. The applicant explained that the previously approved Special Use Permit for a Social Service Provider expired through the applicant's error and the applicant wished to reapply.                                                                                                                                                                                                              |
| <b><i>Neighborhood Meeting</i></b>                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| A neighborhood meeting is not required for this application, nor was one held. It is noted that a neighborhood meeting was conducted for a similar request in relation to the previously approved Special Use Permit. No member of the public had questions or comments about the project, which included the principal site located at 525 East Bonanza Road. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b><i>Field Check</i></b>                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 09/03/09                                                                                                                                                                                                                                                                                                                                                       | A field check was conducted by staff, which noted the following observations: <ul style="list-style-type: none"> <li>• The site is developed with an existing building and paved parking lot. There is no perimeter landscaping on the site.</li> <li>• The subject building where the use is proposed is located in the rear of the lot and is in good condition.</li> <li>• Striping for vehicle parking is faded.</li> <li>• Signage identifying the proposed use is painted on the building.</li> </ul> |
| 09/16/09                                                                                                                                                                                                                                                                                                                                                       | A follow-up check was conducted by staff, which found the following: <ul style="list-style-type: none"> <li>• Persons were observed entering/exiting the building.</li> <li>• Two parking spaces in the rear back out onto Wilson Avenue.</li> <li>• A painted stucco wall in the rear separates the property from Encanto Drive.</li> <li>• A large shipping container is located along the rear wall.</li> </ul>                                                                                          |

|                                              |      |
|----------------------------------------------|------|
| <b><i>Details of Application Request</i></b> |      |
| <b><i>Site Area</i></b>                      |      |
| Net Acres                                    | 0.85 |

| Surrounding Property | Existing Land Use                 | Planned Land Use | Existing Zoning                 |
|----------------------|-----------------------------------|------------------|---------------------------------|
| Subject Property     | Office, Other than Listed         | MXU (Mixed Use)  | C-2 (General Commercial)        |
| North                | Multi-Family Residential          | MXU (Mixed Use)  | C-2 (General Commercial)        |
| South                | Convenience Store                 | MXU (Mixed Use)  | C-1 (Limited Commercial)        |
|                      | Single Room Occupancy Residence   | MXU (Mixed Use)  | C-2 (General Commercial)        |
| East                 | Single Family, Detached           | MXU (Mixed Use)  | R-1 (Single Family Residential) |
|                      | Single Family, Detached           | MXU (Mixed Use)  | C-2 (Single Family Residential) |
| West                 | General Retail, Other Than Listed | MXU (Mixed Use)  | C-2 (General Commercial)        |

| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---------------------------------------------------|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          | X          |           |                   |
| Downtown North Land Use Plan                      | X          |           | Y                 |
| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
| <b>Special Purpose and Overlay Districts</b>      | X          |           |                   |
| Las Vegas Redevelopment Area                      | X          |           | Y                 |
| A-O Airport Overlay District (200 Feet)           | X          |           | Y                 |
| Las Vegas Boulevard Scenic Byway 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         | 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 |            |
| Social Service Provider | 5,475 SF                            | 1/300 SF GFA  | 18      | 1            | 63       | 2            |            |
| TOTAL                   | 5,475 SF                            |               | 19      |              | 65       |              | Y          |

## ANALYSIS

The proposed Social Service Provider intends to provide auxiliary support for an existing veterans' service program administered on the adjacent property at 525 East Bonanza Road. The two properties are connected by an access drive interior to the site. A Special Use Permit (SUP-20822) for a Social Service Provider that offered similar services was previously approved in 2007. However, the use was not exercised within one year of approval and therefore the Special Use Permit expired. The applicant is reapplying to reestablish the same entitlement.

The purpose of the proposed services is to help disadvantaged veterans acquire permanent housing and employment through the United States Veterans Initiative (USVI), a national nonprofit organization. Services offered include housing and meals, employment and training assistance, life skills training, sobriety support, financial management and other outreach services. Prospective veterans are screened to ensure they meet the criteria for assistance. A qualified veteran may use the program services and use the principal site's single room occupancy residence housing option for up to two years as a part of their enrollment in the USVI program.

The program's services are based at the adjacent property at 525 East Bonanza Road; however, not enough space is available to provide for all necessary staff, common area and meeting space. The building at 610 North Las Vegas Boulevard location will house the program's intake interviewing and social/gathering areas.

The Social Service Provider use is allowed in the C-2 (General Commercial) zoning district with approval of a Special use Permit. The parking requirement does not change as a result of the addition of this use, as it is similar to the requirement for an Office use. A condition of approval has been added requiring a revised site plan to be submitted to and approved by the Planning and Development Department, prior to or at the time application is made for a business license, to depict actual site conditions for parking and to include handicap accessible spaces in compliance with Title 19.10 requirements. Staff has determined that the proposed Social Service Provider will be compatible with surrounding uses and is adequately buffered from single-family residences to the east.

## 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 is compatible with uses in the C-2 (General Commercial) zoning district and the MXU (Mixed Use) Land Use designated area. The tavern use that had been adjacent to the subject site is no longer in existence, and the proposed use will have little effect on the existing surrounding uses.

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

The subject site has adequate parking and floor area to provide facilities for the Social Service Provider use.

**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 site is served by Las Vegas Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. This thoroughfare can accommodate the proposed Social Service Provider use.

**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 request will not compromise the public health, safety or welfare of the general public and will not jeopardize the overall objectives of the General Plan.

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

Pursuant to Title 19.04 there are no standard conditions that apply to the Social Service Provider use; any special conditions are determined on a case-by-case basis.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT**      6

**SENATE DISTRICT**      4

**NOTICES MAILED**      167 by City Clerk

**APPROVALS**      0

**PROTESTS**      1