



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 20, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: COMMUNITY COUNSELING CENTER - OWNER:
714 EAST SAHARA AVENUE, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41583	Staff recommends APPROVAL, subject to conditions:	N/A

** CONDITIONS **

SUP-41583 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Facility to provide Testing, Treatment or Counseling for Drug or Alcohol Abuse use.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Prior to occupancy, all necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Department.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 17,088 square-foot Facility to Provide Testing, Treatment or Counseling for Drug and Alcohol Abuse use at 714 East Sahara Avenue. The proposed use complies with all Title 19.04 requirements and can be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses; therefore, staff recommends approval with conditions. If this application is denied, the proposed Facility to Provide Testing, Treatment or Counseling for Drug and Alcohol Abuse use cannot be located within the subject site, nor can a business license be obtained for the use at this location.

ISSUES

- A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit.
- This item has been deemed a Project of Regional Significance. No comments were received from other agencies.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval.
06/14/11	The Planning Commission voted to recommend APPROVAL a Special Use Permit (SUP-41584) for a proposed 17,088 square-foot Social Service Provider use at 714 East Sahara Avenue.
06/14/11	The Planning Commission voted (7-0) to recommend APPROVAL (PC Agenda Item 50/rg).

<i>Most Recent Change of Ownership</i>	
07/29/09	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
09/27/73	A building permit (#13144) was issued for an Office Building at 714 East Sahara Avenue. The permit was finalized on 03/25/74.
04/02/90	A business license (N35-00003) was issued for Family Counseling at 714 East Sahara Avenue, Suite #101. The license issuance was for a change of location from 1120 Almond Tree Lane to 714 East Sahara Avenue.
04/21/11	A building permit (#186205) was issued for non-work certificate of occupancy for an Office at 714 East Sahara Avenue. The permit was finalized on 04/27/11.

<i>Pre-Application Meeting</i>	
04/21/11	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit for a Facility to provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse. The Special Use Permit request will require a Project of Regional Significance form since the site is located within 500 feet of unincorporated Clark County. The site plan indicates 36 parking spaces and the previous use of the building was Office, Other than Listed. Pursuant to Title 19.10.010, the subject site is a Parking-Impaired Development. The proposed use will be transferring from 1120 Almond Tree Lane.

<i>Neighborhood Meeting</i>	
05/31/11	A neighborhood meeting was held at 1140 Almond Tree Lane, Suite #312, Las Vegas, NV 89104 at 6:00 p.m. There were two members of the public, five representatives for the applicant and a member of the Planning and Development staff present. • The applicant briefly reviewed the proposed use and the history of their operation. • The members of the public who were in attendance stated that the applicant had been a good neighbor, and that they were supportive of the applications.

<i>Field Check</i>	
05/05/11	A site visit by staff noted that the office building and property are well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.66

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Office	C (Commercial)	C-1 (Limited Commercial)
North	Undeveloped	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
South	General Retail	C (Commercial)	C-1 (Limited Commercial)
East	Office	C (Commercial)	C-1 (Limited Commercial)
West	Undeveloped	SC (Service Commercial)	R-PD25 (Residential Planned Development – 25 Units per Acre)
	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Beverly Green / Southridge Neighborhood	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
A-O (Airport Overlay) District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Sahara Avenue	Primary Arterial	Master Plan of Streets and Highways	140*	Y

*Per Master Plan of Streets and Highways, the street width is 100 feet.

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Pursuant to Title 19.04 and 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	
Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse	17,088 SF	1/300 SF	57				
TOTAL SPACES REQUIRED			57		34		Y*
Regular and Handicap Spaces Required			54	3	32	2	Y*

*Pursuant to Title 19.10.010 (C), the site is a parking-impaired development.

ANALYSIS

A Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse is defined by Title 19.20.020 as “a facility that: 1) Operates under or is subject to the provisions of NRS Title 40 and, by means of certified detoxification technicians or otherwise, provides care or treatment related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency; or 2) Provides court-ordered or court-sanctioned testing, analysis, treatment or counseling related to the physical and mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency.” The applicant has indicated that the proposed use offers substance abuse treatment to those who are mandated to attend through the courts and those self-referred who need a support system to help them remain sober and addiction-free.

The applicant has been operating at 1120 Almond Tree Lane for 19 years. The request for the Special Use Permit is for a change of location at 714 East Sahara Avenue, due to fire damage at 1120 Almond Tree Lane. The proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use employs 43 people and will serve 500 clients monthly. There were not service calls to the Las Vegas Metropolitan Police Department at both locations. There were Code Enforcement cases at 1120 Almond Tree Lane and all cases have been resolved, and there are no Code Enforcement violations at 714 East Sahara Avenue.

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The proposed location at 714 East Sahara Avenue contains an existing 17,088 square-foot, two-story office building. The submitted floor plans indicates both stories will be utilized by the proposed use. The site plan indicates 34 parking spaces and the required parking is for 57 spaces by current parking standards. Pursuant to Title 19.10.010 (C), the site is a parking impaired development, and the proposed use's parking requirement is the same as the previous use, which was Office, Other than Listed; therefore, no additional parking is required.

Comments were received from the Las Vegas Valley Water District (LVVWD), and include the following: Existing 2" meter with 2" DCVA. If fire flow requirements change, potential meter and backflow changes may be required. If fire flow changes, civil plans will need to be submitted to LVVWD.

The subject property is located within the Beverly Green/Southridge Neighborhood and Airport Overlay District with 175-foot height restrictions. The proposed use would not have a negative impact relating to the Special Area Plan and Overlay District. There are no issues, goals or strategies outlined in the Beverly Green/Southridge Neighborhood Plan that relate to the proposed use. The Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use can be conducted in a manner that is harmonious and compatible with the existing uses and future surrounding land uses; therefore, staff recommends approval with conditions.

FINDINGS (SUP-41583)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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 Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse will be located within an existing office building. The proposed use can be conducted in a manner that is harmonious and compatible with the uses at the existing site and with the uses on adjacent properties.

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

The subject site is physically suitable for the type and intensity of the proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse 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.

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Site access to the property is provided from Sahara Avenue via a 40-foot wide easement. This street is sufficient in size to accommodate the needs of the proposed 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 a Special Use Permit for this use will not compromise the public, health, safety, or welfare, as the use is subject to licensing and inspections by the City of Las Vegas.

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

There are no minimum use requirements for a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED

207 (By City Clerk)

APPROVALS

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PROTESTS

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