



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 24, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: BELL INDEPENDENT LIVING HOMES, INC. -

OWNER: CLESTER AND ODESSA NELSON

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-37949	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-37949 CONDITIONS

Planning and Development

1. Conformance to the approved conditions for Site Development Plan Review [U-0142-97(2)].
2. The applicant shall work with city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of a business license.
3. Hours of operation shall be limited from 8:00 a.m. to 7:00 p.m., Monday through Friday.
4. This approval shall be void two years from the date of final approval, unless a business license has been issued to conduct the activity. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. 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.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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Public Works

6. The parking layout shall be redesigned to eliminate parking spaces directly in line with the driveway on Lake Mead Boulevard to ensure that vehicles do not back into the public right-of-way.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains two existing buildings on 0.32 acres and is located at 1164 and 1176 West Lake Mead Boulevard. The applicant is requesting a Special Use Permit to allow a Social Service Provider within the 987 square-foot building at 1176 West Lake Mead Boulevard. The other building would remain a nonprofit thriftshop. The proposed use would provide free employment assistance and a positive academic studying environment for at-risk youth through a non-profit organization. Clients are either transported to the site or arrive by non-vehicular modes of transportation. The location is adjacent to an existing bus route. The applicant has shown that the proposed Social Service Provider use can be conducted in a manner that is harmonious and compatible with the surrounding land uses, and staff therefore recommends approval. If denied, the proposed use cannot be located at 1176 West lake Mead Boulevard; however, the existing salon use may remain.

ISSUES

- The current commercial site is located on three legal lots that were to be combined as a condition of approval of the existing Thriftshop. Noncompliance with this condition has created a situation where the building at 1176 West Lake Mead Boulevard does not meet current setback requirements, the building at 1164 West Lake Mead Boulevard is located on two separate lots and driveway access is shared between two properties without benefit of a cross-access and parking agreement. Condition of Approval #2 requires the applicant to work with staff to consolidate the lots through a remapping action. The new map is required to be recorded prior to the issuance of a business license for the proposed use.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
10/19/66	The Board of City Commissioners approved a Rezoning (Z-0059-64) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) for property on the north side of Lake Mead Boulevard between Lexington Street and Concord Street, subject to a six-month Resolution of Intent. The Planning Commission and staff recommended denial. The Resolution of Intent expired 04/19/67.

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10/18/67	The Board of City Commissioners denied a request for a Plot Plan Review for a commercial building and Reinstatement of a Rezoning (Z-0059-64) from R-2 (Medium-Low Density Residential) to C-1 (Limited Commercial) for property on the north side of Lake Mead Boulevard between Lexington Street and Concord Street. The Planning Commission and staff recommended denial.
04/23/68	The Planning Commission approved a Plot Plan Review for a commercial building on Lot 12B and the west 30 feet of Lot 12A in Vegas Heights Tract No. 4 Subdivision, affirming that construction of the building on the property was in conformance with the original Resolution of Intent to C-1 (Limited Commercial) District. The Board of City Commissioners affirmed this zoning status on 05/06/68.
10/02/68	The Board of City Commissioners adopted Ordinance #934-138, which hard zoned Lots 12B and the west 30 feet of Lot 12A in Vegas Heights Tract No. 4 Subdivision to C-1 (Limited Commercial). The subject site remained zoned R-2 (Medium-Low Density Residential).
08/05/92	The Board of City Commissioners adopted Ordinance #934.260, which hard zoned Lot 12C (the site containing the building at 1176 West Lake Mead Boulevard) in Vegas Heights Tract No. 4 Subdivision to C-1 (Limited Commercial) after it was discovered the commercial building approved in 1968 was constructed on Lot 12C.
02/23/98	The City Council approved a request for a Special Use Permit (U-0142-97) for a Nonprofit Thrift Shop on the subject property, subject to a one-year review of the use. The Planning Commission and staff recommended approval.
03/22/99	The City Council approved a one year Required Review [U-0142-97(1)] of an approved Special Use Permit, which allowed a Nonprofit Thrift Shop on the subject property, with no further reviews. The Planning Commission and staff recommended approval.
06/28/99	The City Council approved a request for a Site Development Plan Review [U-0142-97(2)] for a 1,600 square-foot addition to an existing Thrift Store on property located at 1164 West Lake Mead Boulevard. The Planning Commission recommended approval. Staff recommended denial. A condition of approval required the combination of the three legal lots underlying the site, and also required the applicant to work with staff to provide landscaping on the site as required by the Planning and Development Department.

<i>Most Recent Change of Ownership</i>	
09/30/97	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
1968	The commercial building at 1176 West Lake Mead Boulevard was constructed.
05/27/68	A building permit (#42035) was issued for paving for parking in conjunction with a commercial building on property located at 1164 (West) Lake Mead Boulevard. A field inspection conducted on 08/01/68 revealed that landscaping on the site was inadequate. [NOTE: the building was constructed on property at 1176 West Lake Mead Boulevard.]
10/14/97	A building permit (#97020962) was issued for repair/reset of 200A electrical service at 1176 West Lake Mead Boulevard. A final inspection was completed 10/16/97.
03/09/98	A building permit (#98004637) was issued for a Non-Work Certificate of Occupancy for a mercantile use at 1176 West Lake Mead Boulevard. A final inspection was completed 03/10/98.
04/01/98	A business license (N36-00015) was issued for a nonprofit thrift store at 1164 West Lake Mead Boulevard. The license is still active. The license was changed to include the address 1176 West Lake Mead Boulevard on 03/07/00. This is also the mailing address of record.
09/24/99	A building permit (#99018807) was issued for onsite improvements at 1164 West Lake Mead Boulevard. A final inspection was completed on 12/13/99.
09/24/99	A building permit (#99018808) was issued for a shell building for Certificate of Completion at 1164 West Lake Mead Boulevard. A final inspection was completed on 12/10/99.
09/27/99	A building permit (#99018921) was issued for plumbing for a shell building at 1164 West Lake Mead Boulevard. A final inspection was completed on 11/17/99.
12/16/99	A building permit (#99023959) was issued for a Non-Work Certificate of Occupancy for a thrift store at 1164 West Lake Mead Boulevard. A final inspection was completed on 12/17/99.
03/12/04	A business license (I04-03076) was issued for an insurance producer at 1176 West Lake Mead Boulevard. The license was marked out of business on 10/13/08.
04/29/04	A business license (M18-02886) was issued for a loan consultant at 1176 West Lake Mead Boulevard. The license was marked out of business on 10/13/08.
12/18/08	Business licenses were issued for a cosmetology establishment (B05-03119) and retail beauty supply (B08-01318) at 1176 West Lake Mead Boulevard. The licenses are still active.

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<i>Pre-Application Meeting</i>	
03/31/10	A pre-application meeting was held with the applicant to discuss the issues related to the project and to prepare the applicant for submittal of a Special Use Permit application. The following topics were discussed: • A document showing proof of cross access between the subject property and the adjacent property to the east will be required. • A site plan showing the subject property and the adjacent property will be required. • Only the property at 1176 West Lake Mead Boulevard will be considered for the Special Use Permit. A proposed smog facility referenced in the preliminary justification letter would not be a part of this project. • The justification letter for the submittal should include the request for a Special Use Permit for a Social Service provider, a summary of daily activities of the organization, age range of dependents and number of dependents assisted over a particular time period, hours of operation and the location of the nearest bus stop. • The salon, office and take-out meal preparation uses will be ancillary to the Social Service Provider use, and no additional parking will be required for these ancillary uses. The office will only be used for phoning, faxing and filing and will not encourage foot traffic. • Photos of all four sides of the building will be required for the submittal. • A floor plan showing all rooms and their uses will be required.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.

<i>Field Check</i>	
04/22/10	A field check of the site was performed, in which the following items were noted: • There are two existing buildings on the site in good condition: the west building is a beauty salon, the east building a thrift shop • Temporary banners advertising services are attached to the beauty salon building • A painted wrought iron fence screens the property from the right-of-way, including a roll gate along the existing driveway • A large shipping container is located at the rear of the thrift shop.

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05/20/10	- The temporary banners have been removed from the building at 1176 West Lake Mead Boulevard - An unprotected bus stop is located in front of the property
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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.32

<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	General Personal Service and Thriftshop, Non-Profit	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Single Family Dwellings, Detached and Church/House of Worship	MLA (Medium Low Attached Density Residential)	R-2 (Medium-Low Density Residential)
South	Private School, Primary and Secondary	C (Commercial)	C-V (Civic)
East	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
West	General Personal Service	MXU (Mixed Use)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
West Las Vegas Plan	X		Y
Special Purpose and Overlay Districts	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (105/140 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area	X		Y
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply to the subject site:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	13,800 SF	N/A
Min. Lot Width	100 Feet	120 Feet	Y
Min. Setbacks • Front • Side • Rear	20 Feet 10 Feet 20 Feet	31 Feet 10 Feet 25 Feet	Y Y Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	N/A	14 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Not provided	Y
Mech. Equipment	Screened	Screened	Y

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	987 SF	1/300 SF GFA	4		4		Y
Thriftshop, Nonprofit	1,600 SF	1/250 SF GFA	7		8		
TOTAL SPACES REQUIRED			11		12		Y
TOTAL (With Handicapped)			10	1	11	1	Y

ANALYSIS

The building at 1176 West Lake Mead Boulevard was originally a bookkeeping office and eventually became a nonprofit thriftshop. It is currently used exclusively as a beauty salon. With approval of a Special Use Permit for a Social Service Provider, educational and employment assistance services will be offered at this building for at-risk youth aged 15 to 18. According to the applicant, only two youth clients will be onsite at any one time. The organization will be operated by two staff members.

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The front part of the building will still be used as a salon; however, services will only be offered for the use of the clients who are preparing for employment opportunities. These services will be performed no later than 7:00 p.m. Monday through Friday. The main service provided will be food catering through the use of the existing kitchen. This is a delivery-only service involving the staff and the youth clients and no members of the public will be coming to the property for dining or pick-up service. The kitchen's hours of operation are expected to be from 9:00 a.m. to 5:00 p.m. Monday through Friday. The applicant's service will also provide homework assistance and computers for the clients' use. The administrative functions of the organization will be handled from an office at the rear of the building.

The parking configuration shown on the submitted site plan is adequate to support both the Social Service Provider use and the adjacent Thriftshop use on the same site. Vehicles that come to the site circulate around the building at 1176 West Lake Mead Boulevard. There is an existing parking space in front of the building and the 42-foot driveway; the Department of Public Works has added a condition requiring this space to be located in such a way that ensures that vehicles will not back out into the public right-of-way.

When this site was approved in 1999 to add the thriftshop building at 1164 West Lake Mead Boulevard, a condition of approval required action to be taken to combine the three legal commercial lots zoned C-1 (Limited Commercial) underlying the site. Although the site is currently under common ownership, remapping will correct nonconformities with regard to lot width and setbacks, and will allow for site access and circulation throughout the same property. Remapping also furthers objectives of the Las Vegas Redevelopment Plan calling for assembly of land parcels suitable for modern integrated development and the elimination of environmental deficiencies and blight in the Redevelopment Area including (but in no way limited to) small lots. A condition of approval of this Special Use Permit requires the applicant to consolidate the lots through a remapping action. The map is required to be recorded prior to the issuance of a business license for the proposed use.

The applicant has shown that the proposed Social Service Provider use can be conducted in a manner that is harmonious and compatible with the existing thriftshop and the surrounding land uses, which include a salon to the west, single-family residences and a church to the north, an undeveloped residential lot to the east and a private school to the south. The proposed use is structured in such a way that additional traffic and other visible activity on the site are minimized. Approval is therefore recommended.

FINDINGS (SUP-37949)

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

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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.

Only two clients will be at the site on any given day, and no members of the public are expected to come to the site without appointment. Services will not be offered after 7:00 p.m. Monday Through Friday. The proposed Social Service Provider use can therefore be conducted in a manner that is harmonious and compatible with the surrounding land uses.

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

The subject site can accommodate the proposed Social Service Provider use. Adequate parking is provided on the site, which is anticipated mostly to be used for the existing thriftshop in the adjacent building.

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.

Access to the site is provided by Lake Mead Boulevard, a 100-foot wide Primary Arterial as classified by the Master Plan of Streets and Highways. This roadway is adequate in size to meet the requirements of 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.

The business proposed for the site will be subject to licensing and inspection, and therefore approval of this Special Use Permit would not compromise the public health, safety and welfare or the objectives of the General Plan. The proposed use does not meet any specific objective of the West Las Vegas Plan, but conforms to the broad goals of land use development and provision of programs for youth.

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

There are no minimum Special Use Permit conditions for the Social Service Provider use; the use is reviewed on a case-by-case basis.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 235

APPROVALS 1

PROTESTS 0