



July 23, 2018

Robert Summerfield, Director
Planning Department
City of Las Vegas
333 N. Rancho Drive
Las Vegas, NV 89106

RE: Justification Letter: Jones & Cromwell
Request for a Zone Change, Special Use Permit and Variance
APN#: 138-36-210-008

Dear Mr. Summerfield:

On behalf of our clients, Chris Sullivan and April Kermani, please accept this letter for a ZON, SUP and VAR on a parcel located on the east side of Jones Blvd and north of Alta Dr, at 332 S. Jones Blvd (APN# 138-36-210-008) to allow a two bed 1,778 square foot Obstetric Center in what is currently an office building.

The site consists of one parcel on 0.18 +/- net acres that has Office (O) land use and Professional Office (P-R) zoning. The site contains an existing professional office that was converted from a home. Our client's intent is to seek a zone change to Office (O), a Special Use Permit (Hospital) and Variances for lot width and setbacks.

The adjacent parcels to the north and south have a land use of Office (O) and are zoned P-R. The parcels to the east and west have a land use of Low Density Residential (L) and are zoned R-1. The request for Office (O) zoning land use is consistent with the General Plan and is compatible with the surrounding properties. As described in the 2020 CLV Master Plan the Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses. Jones Boulevard is a primary street and the Office zoning will provide a low intensity transition.

As part of the rezoning request a Special Use Permit is needed to operate an Obstetric Center. The City of Las Vegas zoning code does not specifically define an Obstetric Center; however, the State of Nevada does provide a definition as follows:

NRS 449.0155 "Obstetric center" defined. "Obstetric center" means a facility that is not part of a hospital and provides services for normal, uncomplicated births.

And further limits an Obstetric Center to provide care for no more than 24 hours after birth (see below).

NRS 449.61132 Authorized obstetric care. (NRS 449.0302) Obstetric care provided at an obstetric center must be limited to:



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1. Care provided immediately before, during and for not more than 24 hours after a vaginal birth to a maternal patient.

Title 19.12 and 19.18 provide the following land uses for medical care;

Clinic. A facility which is occupied and used for the purpose of providing dental or medical care, and which regularly provides any of those services to the general public on an emergency basis or without appointment. The term does not include a hospital or a facility which provides for the overnight care or overnight stay of patients.

Hospital. An institution, designed within an integrated campus setting for the diagnosis, care, and treatment of human illness, including surgery and primary treatment.

Office, Medical or Dental. A professional office for the administration of professional medical, psychological or dental care, including examinations, screenings and minor outpatient surgical procedures. The term does not include a facility that provides housing for individuals, a clinic, or any other facility that is specifically defined in this Title.

As the Obstetric Center provides services to clients for a period of time greater than 24 hours ("overnight") without an appointment, the most similar use would be a Hospital.

The current existing Professional Office site provides 8 parking spaces, landscaping and setbacks as established by a site plan review (Z-0026-91(15)) approved in 2001. The required parking for a Hospital is 1.5 parking spaces per bed. This request will provide 3 parking spaces which is code compliant. There are no plans to make any exterior changes to the existing building elevations or any changes to the site. Only an interior remodel is anticipated.

ZONING CLASSIFICATION: Request From Professional Office(P-R) to Office (O):

The Limited Office (O) zoning classification conforms to the proposed Future Land Use designation of O (Office). The Office District is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed in a cluster with an internal traffic circulation system or one larger office building. This district may be used as a buffer between residential and more intense retail/commercial uses. The O District is consistent with the Office category of the General Plan. (UDC 19.08.060).

1. The proposal conforms to the General Plan.

The Limited Office (O) District is consistent with the Office category of the General Plan. (UDC 19.08.060).

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 requested change in zoning from P-R to O is compatible with the surrounding land uses of Office and Low Density Residential. Per the Las Vegas 2020 Master Plan, the Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses. This request will continue to provide that transition zone from the residential properties from Jones Boulevard.

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

The need for additional medical services within the City of Las Vegas is critical at this time. The development of an Obstetric Center within the City of Vegas will provide for an alternative to a traditional Hospital for families. As such the need for the rezoning is appropriate.

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.

Jones Boulevard is a high capacity primary arterial. No increase in traffic is anticipated by the development request.

SPECIAL USE PERMIT

Pursuant to 19.12, a Hospital is allowed as a Special Use within the Office (O) zoning district. There are no minimum use or intensity requirements for a Hospital.

Approval Criteria for a SUP:

- 1. *The proposed 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 use can be conducted in a manner that is harmonious and compatible with the existing surrounding land uses and the future surrounding land uses.

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

The subject site is physically suitable for a two-bed hospital, as it provides for adequate parking and is conducted within a 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; and.***

Site access is from Jones Blvd which is classified as a Primary Arterial. Therefore the street facilities providing access are adequate.

- 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.;***

Appropriate measures will be taken to secure and protect the public health, safety and general welfare and the Special Use Permit is consistent with the overall objectives of the General Plan.

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Variance Requested

Pursuant to LVCM 19.08.070 Office (O) zoning district and 19.16, a variance is needed to allow the existing setbacks for the following:

- To allow an existing 5-foot side setback where 10 feet is required.
- To allow an existing lot width of 65 feet where 100 feet is required

Section of LVCM 19.16.140 allows for a Variance of the standards "Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be **granted without substantial detriment to the public good**, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution."

The request for relief from the above setback and lot width requirements are warranted as it will not be detrimental to the public good nor will they have a substantial impairment of the adjoining properties for the use of their land. The existing setbacks and lot width of this site have had no negative impacts to the abutting properties and are similar to their setbacks and lot widths. The continuation of the setbacks and lot widths have not nor will they be detrimental to the public good in the future.

SUMMARY JUSTIFICATION:

The requested small two-bed Obstetric Center will meet the plans and policies of the City and help serve the area. It will allow for a change to a very compatible use. The area has undergone substantial changes from the late '80s when the houses along Jones Boulevard were converted from single family to professional office.

The proposed use of the property, which is located along a primary arterial, has existing infrastructure and easy access to major roadways. It adds to tax base, creates jobs, and provides additional services not currently available to the area.

We would appreciate your favorable consideration of this project. Should you have any questions or concerns regarding this request, please contact this office.

Sincerely,



Doug Rankin, AICP
Planning Manager

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