

CASE: SUP-11696

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 3, 2006
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - SUP-11696 - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC.

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-11695), Site Development Plan Review (SDR-11694), and Variances (VAR-11698 and VAR-11700).
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Special Use Permit for a proposed Social Service Provider at 502 West Van Buren Avenue.

EXECUTIVE SUMMARY

The proposed use as an office for a Social Service Provider is deemed too intense for the site. The site does not accommodate the development standards of the Office District and would typically fall into the P-R District; however the Special Use as a Social Service Provider that the applicant has requested is not permitted in the P-R District. The project requires two Variances that cover parking, loading space, trash enclosure, and setback requirements. Additionally, although the requested O (Office) District is permitted in the MXU land use category the proposed change is not in compliance with the General Plan as it is a case of spot zoning. Due to the site being out of compliance with many aspects of the Code denial of this request is recommended.

BACKGROUND INFORMATION

A) *Related Actions*

03/23/06 The Planning Commission recommended denial of a companion Rezoning (ZON-11695); Variances (VAR-11698) and (VAR-11700) and Site Development Plan Review (SDR-11694) concurrently with this application.

03/23/06 The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #36/ng).

B) *Pre-Application Meeting*

01/26/06 A pre-application conference was held and elements of this development were discussed. It was noted what zoning district would be required, that Variances would be necessary, and that a Special Use Permit would be required.

C) *Neighborhood Meetings*

A neighborhood meeting is not required, nor was one held.

D) *Code Enforcement Actions*

There are no current open complaints on the subject site per Code Enforcement.

E) Las Vegas Metropolitan Police Actions

There have been 15 police responses for the subject site. The dates range from 04/30/05 to 3/31/06.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.13

B) Existing Land Use

Subject Property: Single-Family Residential
 North: Single-Family Residential
 South: Undeveloped
 East: Church
 West: Undeveloped

C) Planned Land Use

Subject Property: MXU (Downtown - Mixed Use)
 North: MXU (Downtown - Mixed Use)
 South: MXU (Downtown - Mixed Use)
 East: MXU (Downtown - Mixed Use)
 West: MXU (Downtown - Mixed Use)

D) Existing Zoning

Subject Property: R-4 (High Density Residential)
 North: R-3 (Medium Density Residential)
 South: R-4 (High Density Residential)
 East: R-4 (High Density Residential)
 West: R-4 (High Density Residential)

E) General Plan Compliance

The subject property is designated as MXU (Downtown-Mixed Use) under the Southeast Sector Plan of the General Plan. The Mixed Use category is part of the Downtown Redevelopment Plan. Mixed Use allows for a mix of uses including the proposed conversion of a residence to an office. Although the requested O (Office) District is permitted in the MXU land use category the proposed change is not in compliance with the General Plan as it is a case of spot zoning.

SPECIAL DISTRICTS/ZONES		Yes	No
Special Area Plan		X	
West Las Vegas Plan		X	
Downtown Redevelopment Plan		X	
Special Overlay District		X	
Airport Overlay District		X	
Trails			X

Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

West Las Vegas

The subject property is in the West Las Vegas Plan area. The proposed conversion of a residence to an office for a Social Service Provider is not affected by this plan.

Downtown Redevelopment Plan

The Mixed Use (MXU) category is part of the Downtown Redevelopment Plan. The Mixed Use category allows for a mix of uses including the proposed conversion of a residence to an office.

Airport Overlay District

The site is located in the Airport Overlay District 175-foot notification zone. The structure is only two stories in height and is not affected by this standard.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Office	1,322 SF.	1/300 GFA	5	1	2	1
Total			5		2	

The applicant is providing only two spaces that are in compliance with Title 19.10 standards. This is a 60 percent deficiency. There are a total of seven spaces provided; however this requires triple tandem parking to be utilized. Two spaces are in the garage, three spaces are directly behind those, and two more spaces are behind the second row. If a car is parked in the garage and needed to get out three to five cars would need to be moved to allow that car to exit. This is not in compliance with Title 19.10.010 (E, 8) that states No parking space shall be located so as to require the moving of any vehicle on the premises in order to enter or leave any other space. A Variance (VAR-11698) has been requested to mitigate this deviation from standards.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Social Service Provider use.

B) General Analysis and Discussion

- Zoning

The applicant has requested a rezoning to an O (Office) District. The site does not accommodate the development standards of the Office District and would typically fall into the P-R District; however the Special Use as a Social Service Provider that the applicant has requested is not permitted in the P-R District. The proposed use as an office for a Social Service Provider is in compliance with the requested O (Office) District.

- Use

A Social Service Provider is defined as a facility that provides assistance to persons with limited ability for self-care, but for whom medical care is not a major element. The term includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission or homeless shelter.

The applicant states that the site is to be used to provide life skills teaching and to assist families in maintaining independent living. The goal is to help homeless families put their kids back in school, acquire housing, and employment. The project is primarily staffed by volunteers. Family Promise currently has several locations throughout the Valley. Prospective families are screened to ensure they meet the criteria for assistance and the program lasts 30 days. This meets the definition of a Social Service Provider.

- Conditions

A condition of approval shall be added to the Site Development Plan Review (SDR-11694) stating that the site shall not be permitted to shelter any individual overnight.

FINDINGS

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 surrounding area is currently residential. This type of service would be better located on a primary thoroughfare on the perimeter of a residential area rather than directly within the residential neighborhood.

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

The proposed site is not suitable for the proposed development. The use is too intense as it requires the site to obtain Variances covering parking, loading space, trash enclosure, and setback requirements. The setback Variances are required due to the necessity of a requesting an O (Office) District rather than a P-R (Professional Office and Parking) District, which would be better suited to this type of location. The P-R District however; does not allow for the Social Service Provider use. Due to the Variances and waivers denial of this request is recommended.

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 from an alley. This alley gains access from E Street and F Street. These are standard city streets. Although the proposed development will not generate a great deal of traffic these are small streets and the parking is accessed through an alley, traffic flow may be a problem for this site.

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.”**

As the proposed location is in a residential area the proposed use could provide a disruption to the area through increased traffic and more intense use of the site.

PLANNING COMMISSION ACTION

Applicant indicated that 14 persons in 3-4 families are at the facility at one time.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

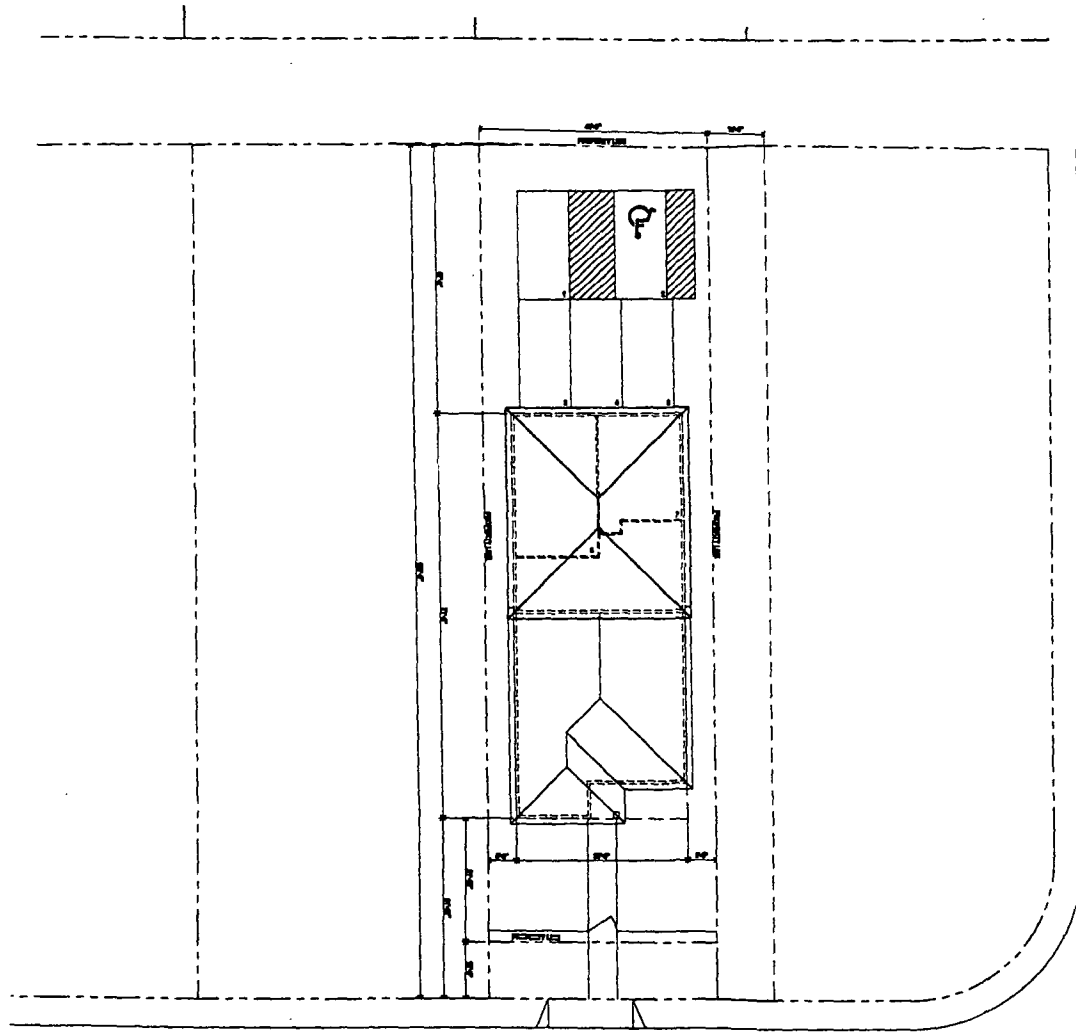
ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

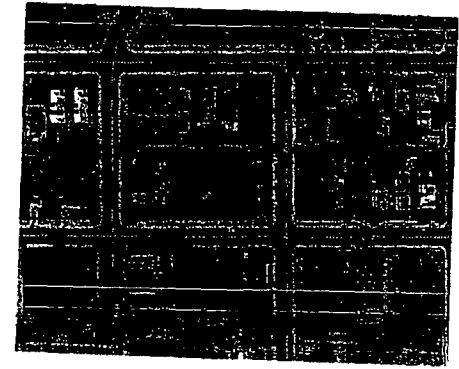
NOTICES MAILED 207 by City Clerk

APPROVALS 0

PROTESTS 10



1 ARCHITECTURAL SITE PLAN
SCALE 1/8" = 1'-0"



LOCATION MAP
SCALE 1/8"

SITE INFORMATION

ZONING: City of Las Vegas
APN: 130-27-110-043
Current Zoning - R-4

BUILDING SQUARE FOOTAGES:

OFFICE:	1,322 SF
NON-OFFICE:	980 SF
SUB-TOTAL:	2,301 SF
PORCH:	30 SF
GARAGE:	880 SF
TOTAL:	3,778 SF

PARKING CALCULATION

OFFICE:	1,322 SF	
4 / 1000 =	5.288	
REQUIRED:	8	REQUIRED PARKING STALLS
PROVIDED:	8	PROVIDED PARKING STALLS
HC REQUIRED:	1	PARKING STALL
HC PROVIDED:	1	PARKING STALL

E STREET

VAN BUREN AVENUE

Family Promise

502 West Van Buren Las Vegas, NV

NORTH

Scale 1:10

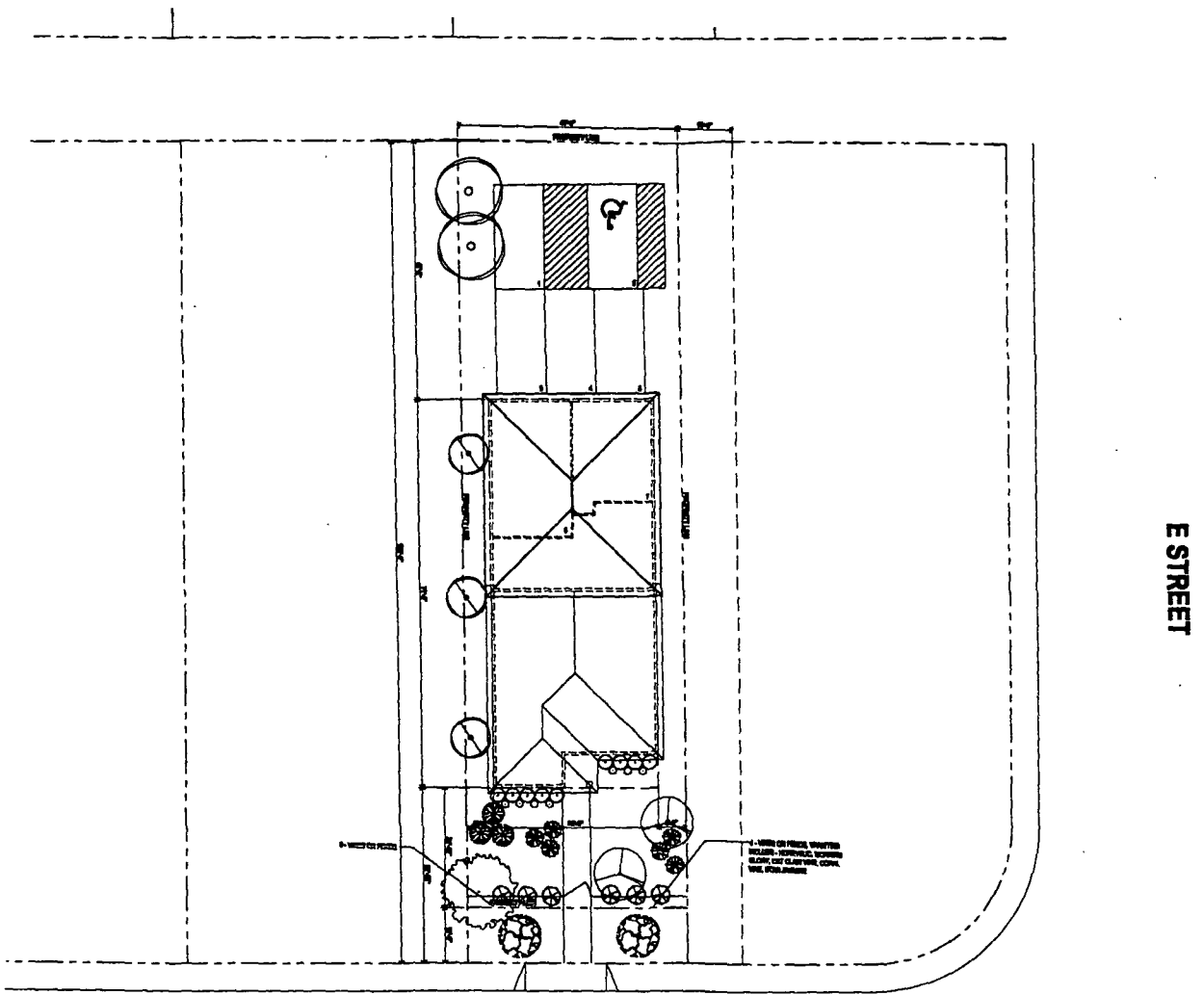


FRONTLINE Group



Conceptual Site Plan : Sheet Title
Multi-Sheet : Project Number
03-01-06 : Date

SUP-11696
03/23/06 PC



Plant List

SYM	QTY	SIZE	SPACING	COMMON NAME
	1	4'-6" dia	10'	Round Top Juniper
	1	8'-6" dia	10'	Round Top Juniper
	1	12'-6" dia	20'-0" dia	Round Top Juniper
	1	12'-6" dia	20'-0" dia	Round Top Juniper
	1	2'-0" dia	10'	Red Flowering Quince
	1	1'-0" dia	10'	Japanese Maple
	1	2'-0" dia	10'	Red Top Juniper
	1	12'-0" dia	20'-0" dia	Round Top Juniper
	1	12'-0" dia	20'-0" dia	Round Top Juniper
	1	12'-0" dia	20'-0" dia	Round Top Juniper
	1	12'-0" dia	20'-0" dia	Round Top Juniper
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	1	12'-0" dia	20'-0" dia	Round Top Juniper

1 ARCHITECTURAL LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"

Family Promise
502 West Van Buren Las Vegas, NV

VAN BUREN AVENUE



FRONTLINE GROUP
MOSER architecture studio

SUP-11696
03/23/06 PC

Conceptual Landscape Plan : Sheet Title
KAMP-0000 : Project Number
03-01-01 : Date



KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

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February 7, 2006

VIA HAND DELIVERY

City of Las Vegas
Planning Department
731 S. 4th Street
Las Vegas, NV 89109

Re: Family Promise of Las Vegas - Justification Letter

To Whom It May Concern:

Family promise of Las Vegas, a local affiliate of the National Family Promise Organization, is located at 502 Van Buren Avenue. Family Promise is a 501-C3 non-profit organization which partners with community and faith-based organizations to provide temporary shelter and life skills teaching to assist families in their goal to obtain and maintain independent living.

An application for a zone change from R-4 to O (office) is required to allow Family Promise to continue business at this location. This request is appropriate since the property and area is master planned for mixed-use developments. Office is an allowed use in this designation. In addition to the zone change request, a special use permit is required to allow for a social service provider. The use is compatible and harmonious to the other existing uses in the area. This is a low intense use that does not have a negative impact to the surrounding uses.

Family Promise is converting an existing home into an office building. Because of the zone change request, there are new set back requirements for the office district. Thus, a variance application is proposed to reduce the front yard and side yard setbacks, lot width and tandem parking. These variances are necessary since there is a legal hardship on the property. As you can see by the shape of the lot, it is long and narrow which makes it very difficult to conform to all set back requirements. The front yard setback is 21' where 25' is required. The side yard setback is 5' where 10' is required. The house is constructed at these set backs and it would be unreasonable to require the house to be substantially altered from its current state to meet the new set back requirements. As the structure exists today, it does not impact the adjacent properties with respect to the setback. A tandem parking variance has been approved under similar circumstances in the past.

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A site development plan review and waivers also accompany the above-mentioned applications. The waivers are for side yard and parking landscape requirements. Also, a waiver is necessary to allow the lot width to be 40' where 100' is required. These waivers are necessary and appropriate because of the existing conditions on the property. There is an existing structure on the property and the property is long and narrow. Therefore, any proposed use on this site would be difficult to meet all of the requirements for development in the office district.

Please call me if you have any questions.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO


Robert J. Gronauer *by*
du

RJG/kd