



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JULY 17, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: BRIDGE COUNSELING ASSOCIATES -
OWNER: JAMES MARK, LLC, ET AL

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0220-WVR1	Staff recommends APPROVAL, subject to conditions:	24-0220-SUP1
24-0220-SUP1	Staff recommends APPROVAL, subject to conditions:	24-0220-WVR1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 33

NOTICES MAILED 179 (by City Clerk)

PROTESTS 4 - 24-0220 [WVR1 AND SUP1]

APPROVALS 0

**** CONDITIONS ****

24-0220-WVR1 CONDITIONS

Planning

1. A Waiver is hereby approved, to allow 12 additional parking stalls where 42 additional parking stalls are for a parking impaired development.
2. Approval of and conformance to the Conditions of Approval for Special Use Permit (24-0220-SUP1) shall be required, if approved.
3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. 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 Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

24-0220-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use.
2. Approval of and conformance to the Conditions of Approval for Waiver (24-0220-WVR1) shall be required, if approved.

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3. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. 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 Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to operate a Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol and Social Service Provider establishment at 415 South 6th Street.

ISSUES

- The 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. Staff supports this request.
- The Social Service Provider use is permitted conditionally in the C-1 (Limited Commercial) zoning district. The proposed use meets all applicable conditional use regulations.
- A Waiver (24-0220-WVR1) is requested, to allow 12 additional parking stalls where 42 additional parking stalls are required. Staff supports this request.

ANALYSIS

The subject site is zoned C-1 (Limited Commercial), located in the Downtown Las Vegas Overlay District [Founders District] and is subject to the Appendix F: Interim Downtown Las Vegas Development Standards for Area 2. The subject property is an existing three-story, 32,562 square-foot office building.

Originally, the subject site was approved for an office development for 67 parking spaces based on a one space per 400 square feet parking calculation; however, the site was misrepresented, as the gross floor area of the existing building was listed at 26,790 square feet. The existing office building is a parking-impaired development, which now provides 75 parking spaces where the current Title 19 requirement would have required 109 parking stalls. Pursuant to Title 19.18.030, for any change of use that requires an increase in the number of required parking spaces, only the increased number of parking spaces shall be required. Therefore, the applicant has requested a Waiver to allow 12 additional parking stalls where 42 additional parking stalls are required.

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As the subject area is characterized with ample on-street parking facilities on 6th Street and adjacent rights-of-way, staff finds that this Waiver request will not detract from the intent and goals expressed within the Vision 2045 Downtown Las Vegas Master Plan. As such, staff supports this request.

This Waiver request is a result of the applicant's Special Use Permit for the Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use to operate within the entirety of the 32,562 square-foot office building.

The Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use is defined 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 mental effects of the abuse of alcohol or drugs, or the effects of alcohol or drug dependency.

The proposed use meets this definition as the proposed services include offering highly trained professionals, including licensed substance abuse counselors who can address co-occurring mental health and addiction needs. There are no minimum Special Use Permit requirements associated with the proposed Facility to Provide Testing, Treatment, or Counseling for Drug or Alcohol Abuse use

The Social Service Provider use 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. This use includes a facility that provides assistance concerning psychological problems, employment, learning disabilities or physical disabilities, but does not include a rescue mission, homeless shelter or an adult day care center."

The Minimum Conditional Use Regulations for this use include:

1. An interior lobby or waiting area shall be provided and shall remain open at all times during normal hours.

The proposed use meets this requirement as indicated in the submitted justification letter, which states that an open lobby will be incorporated on each floor and will remain open during normal operating hours.

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While this segment of 6th Street is characterized with low-intensity office uses that are zoned either C-1 (Limited Commercial), P-R (Professional Office and Parking), or P-O (Professional Office), there is a public secondary school (Las Vegas Academy of the Arts) located approximately 240 feet from the proposed uses. While there are no associated Special Use Permit requirements with respect to distance separation, the close proximity of such a use may create an impact to the nearby school. Despite this and the requested Waiver for parking, staff finds the proposed use can be conducted in a manner that is harmonious and compatible with the surrounding office land uses. Therefore, staff recommends approval of this Special Use Permit and Waiver, subject to conditions.

FINDINGS (24-0220-WVR1)

Staff has determined that the requested relief of minimum parking required by Title 19.12 can be justified by the proximity of sufficient on-street parking facilities and does not detract from the intent of the Vision 2045 Downtown Las Vegas Master Plan, and is thereby within the realm for the granting of Waivers.

FINDINGS (24-0220-SUP1)

In order to approve a Special Use Permit application, per Title 19.16.110(L) 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 land uses can be conducted in a manner that is harmonious and compatible with the surrounding office land uses and with future surrounding land uses as projected by the General Plan.

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

Despite a requested Waiver of parking requirements, staff finds that sufficient on-street parking surrounding the subject property allows for the existing office building to be physically suitable for the type and intensity of land uses proposed.

- 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.**

Site access is provided by 6th Street, an 80-foot Collector Street, as defined by the Master Plan of Streets and Highways and is adequate in size to meet the requirements 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 this Special Use Permit will be subject to Business License review and periodic inspections to ensure the public health, safety, and welfare or the overall objectives of the General Plan will not be compromised.

5. **The use meets all of the applicable conditions per Title 19.12.**

There are no associated minimum Special Use Permit requirements outlined in Title 19.12 for the proposed use.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
07/12/84	The Planning Commission approved a Reclassification of Property (Z-0041-84) from R-3 (Limited Multiple Residence) and R-4 (Apartment Residence) to P-R (Professional Offices & Parking) and C-1 (Limited Commercial) for a proposed four-story office condominium and parking lot located on the east side of 6 th Street and the west side of 7 th Street, between Lewis Avenue and Clark Avenue.
08/08/03	The City Council approved a Site Development Plan Review (SDR-2430) and Waiver of the perimeter and parking lot landscaping standards for a proposed parking lot at 421 South 6 th Street.
06/18/24	<p>The Planning Commission voted (7-0) to recommend APPROVAL on the following Land Use Entitlement project requests on 0.69 acres at 415 South 6th Street (APN 139-34-711-000), C-1 (Limited Commercial) Zone, Ward 3 (Diaz).</p> <p>24-0220-WVR1 - WAIVER - TO ALLOW 12 ADDITIONAL PARKING STALLS WHERE 42 ADDITIONAL PARKING STALLS ARE REQUIRED AND TO ALLOW ONE ADDITIONAL HANDICAP PARKING STALL WHERE THREE ADDITIONAL HANDICAP PARKING STALLS ARE REQUIRED FOR A PARKING IMPAIRED DEVELOPMENT</p> <p>24-0220-SUP1 - SPECIAL USE PERMIT - FOR A PROPOSED FACILITY TO PROVIDE TESTING, TREATMENT, OR COUNSELING FOR DRUG OR ALCOHOL ABUSE USE</p>

<i>Most Recent Change of Ownership</i>	
11/27/17	A deed was recorded for a change in ownership.

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Related Building Permits/Business Licenses	
08/08/85	A building permit (#4552) was issued for an office building at 415 South 6 th Street. The permit was finalized 07/24/86

Pre-Application Meeting	
04/15/24	A pre-application meeting was held with the applicant to discuss the submittal requirements of a Special Use Permit and Waiver.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
05/07/24	Staff conducted a routine field check of the subject property and observed a vacant office development. Nothing of concern was noted.

Details of Application Request	
Site Area	
Net Acres	0.69

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Vacant	C (Commercial)	C-1 (Limited Commercial)
North	Office, Other than Listed	C (Commercial)	P-R (Professional Office and Parking)
South	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
East	Parking Lot	C (Commercial)	C-1 (Limited Commercial)
West	Courthouse	PF (Public Facility)	C-V (Civic)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
Vision 2045 Downtown Las Vegas Master Plan: Founders District	Y
Special Area and Overlay Districts	Compliance
Live/Work Overlay	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
6 th Street	Collector	Master Plan of Streets and Highways Map	80 Feet	Y
7 th Street	Collector	Master Plan of Streets and Highways Map	80 Feet	Y

Pursuant to Title 19.08 and 19.12, 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	32,562 SF	1 per 300 SF	109				
TOTAL SPACES REQUIRED			109		75		N*
Regular and Handicap Spaces Required			104	5	72	3	N*

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Waivers		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
Provide 109 parking spaces.	To allow 12 additional parking stalls where 42 additional parking stalls are required.	Approval