



**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 25, 2008**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-29448 - APPLICANT: YESHIVA DAY SCHOOL - OWNER:  
VILLAGE SQUARE SHOPPING CENTER, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

***Planning and Development***

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Private School, Primary use.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a proposed Private School, Primary at 9420 West Sahara Avenue, Suite 200. The Private School, Primary is planned within an existing 425,720 square-foot multi-building Shopping Center. The proposed Private School, Primary will occupy a 2,282 square-foot suite on the second floor of an existing 15,506 square-foot two-story Retail and Office building, which is part of a larger existing Shopping Center. As the proposed use demonstrates compliance with the requirements of Title 19, staff recommends approval of this request.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
02/15/89	The City Council approved a Rezoning (Z-0139-88) application for the reclassification of property located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard, from N-U (Non Urban) under Resolution of Intent to R-PD4 (Residential Planned Development- 4 Units per Acre), P-R (Professional Office and Parking), C-1 (Limited Commercial) and C-V (Civic) to R-PD7 (Residential Planned Development- 7 Units Per Acre), R-3 (Medium Density Residential), and C-1 (Limited Commercial). The Planning Commission and staff recommended approval of this request.
11/09/98	The City Council approved a Special Use Permit (U-0115-98) and Site Development Plan Review (U-0115-98) on property located north of Sahara Avenue, west of Fort Apache Road to allow a Supper Club in conjunction with a proposed 8,802 square-foot restaurant. The Planning Commission and staff recommended approval of these requests.
10/01/03	The City Council approved a Special Use Permit (SUP-2768) for a Restaurant with Service Bar at 9410 West Sahara Avenue. The Planning Commission and staff recommended approval of this request.
08/18/04	The City Council approved a Site Development Plan Review (SDR-4639) for a 57,092 square-foot retail/commercial building (Pad P) with a Waiver of commercial standards for three feet of foundation landscaping, where six feet is required. The Planning Commission and Staff recommended approval of this request.
02/15/06	The City Council approved a Special Use Permit (SUP-10406) for a Restaurant with Service Bar at 9440 West Sahara Avenue. The Planning Commission and Staff recommended approval of this request.

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04/19/06	The City Council approved a Review of Condition (ROC-12097) Number 2 and 4 of an approved Site Development Plan Review (SDR-4639) to allow a zero-foot foundation landscape buffer, where three feet was allowed and shown on approved plans for a 57,092 square-foot retail/commercial building. Staff recommended denial of this request.
07/12/06	The City Council approved a Variance (VAR-12102) to allow 2,404 parking spaces, where 2,440 is the minimum number of spaces required in conjunction with the addition of a 1,200 square-foot restaurant within the existing Shopping Center. The Planning Commission recommended approval and staff recommended denial.
<b><i>Related Building Permits/Business Licenses</i></b>	
08/11/98	A building permit (#98016373) was issued for an office/retail building at 9320 West Sahara Avenue. The permit received final approval on 03/04/99.
03/25/99	A building permit (#99005859) was issued for a tenant improvement at 9420 West Sahara Avenue Suite #200. The permit received final approval on 05/20/99.
10/05/00	A business license (#P005-00292) was issued for Aquariums and Tropical Fish sales at 9420 West Sahara Avenue Suite #105.
04/26/06	A business license (#P05-00398) was issued for Grooming, Pet Food and Accessory sales at 9420 West Sahara Avenue Suite #104.
03/28/08	A business license (#W08-00038) was issued for Body Wraps at 9420 West Sahara Avenue Suite #200.
04/22/08	A business license (#B20-01444) was issued for Administrative Offices for a Day School at 9420 West Sahara Avenue Suite #202.
08/04/08	A business license (#C07-03697) was issued for a Wedding Apparel business at 9420 West Sahara Avenue Suite #102.
07/28/08	A building permit (#118026) for a tenant improvement remodel was issued at 9420 West Sahara Avenue Suite #200.
<b><i>Pre-Application Meeting</i></b>	
07/30/08	A pre-application meeting with the applicant was held where elements of submitting a Special Use Permit for a Private School, Primary were discussed.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required, nor was one held.	

<b><i>Field Check</i></b>	
08/19/08	A field check was performed by staff at the subject property. The existing building was noted to be a two-story retail/office building within the Peccole Village Square Shopping Center. Access to the second floor is provided through an entry vestibule located on the south end of the building providing access to the interior elevator and stairwell.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	37.18 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Multi-Family Residential	M (Medium Density Residential)	R-PD21 (Residential Planned Development 21 Units per Acre)
South	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential)	R-PD20 (Residential Planned Development 20 Units per Acre)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
	Multi-Family Residential	M (Medium Density Residential)	R-PD18 (Residential Planned Development 18 Units per Acre)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
	Public Library	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Peccole Ranch	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>		X	N/A
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

*Pursuant to Title 19.10, the following parking standards apply:*

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	425,720 SF	1 Space/250 SF	1,675	28	2,144	93	
<b>TOTAL</b>			1,703		2,237		Y

**ANALYSIS**

This is a request for a 2,282 square-foot Private School, Primary to be located within an existing 425,720 square-foot Shopping Center located at 9420 West Sahara Avenue, Suite 200. The proposed Private School, Primary will be located on the second floor of an existing 15,506 two-story Office and Retail building, which is located within the existing Shopping Center.

The floor plan submitted depicts the suite as consisting of five classrooms, two offices, a kitchen, a storage room, computer station area and a lobby. Access to the suite will be gained via internal stairways located at the north and south ends of the building and an elevator located near the south end of the building. The applicant has submitted a site plan detailing four parking spaces to the rear of the building that will be reserved for student pick-up and drop-off areas. Four parking spaces will be adequate for approximately 20 students, which are anticipated for the use. The proposed use will have minimal impact on the existing Shopping Center and surrounding neighborhood and meets the requirements set forth in Title 19; therefore, staff recommends approval of this request.

- **Zoning**

The project is located within an existing C-1 (Limited Commercial) zoning district. This district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) district is consistent with the SC (Service Commercial) category of the General Plan. The subject property carries a General Plan designation of SC (Service Commercial).

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- **Use**

A Private School, Primary is defined by Title 19.04 as an institution that provides kindergarten through eighth grade education and is supported by a public, religious or private organization.

- **Minimum Special Use Permit Requirements**

1. Adequate pick-up and drop-off areas must be provided on-site.

The proposed Private School, Primary meets and is in conformance with the Minimum Special Use Permit Requirement. The applicant has submitted a site plan, which details four loading zones that will be provided for pick-up and drop-off areas for the approximately 20 students who will be attending this school. As the use is in conformance with Title 19 and will have little impact on the subject property or surrounding properties, staff recommends approval of this request.

## **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 proposed Private School, Primary 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 Private School, Primary will have minimal impact on the surrounding Shopping Center and neighborhood land uses.

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

The 425,720 square-foot Shopping Center, which is located on approximately 37.18 acres, is physically suitable to accommodate a Private School, Primary.

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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This site is accessed from Sahara Avenue and Fort Apache Road, both of which are 100-foot Primary Arterial streets according to the Master Plan of Streets and Highways. Minimal traffic will be generated by this use type; therefore, negative impacts should be minimal with regard to adjacent roadways and neighborhood traffic.

- 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 proposed Private School, Primary will be consistent with the General Plan land use designation of SC (Service Commercial) and will not be inconsistent with nor compromise the public health, safety, welfare or overall objectives of the General Plan.

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

The proposed use conforms with the Minimum Special Use Requirements for a Private School, Primary use.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      7

**ASSEMBLY DISTRICT**                      2

**SENATE DISTRICT**                      8

**NOTICES MAILED**                      890

**APPROVALS**                      10

**PROTESTS**                      0