



City of Las Vegas

Agenda Item No.: 108.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF OCTOBER 15, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT: UP-2944 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YESHIVA DAY SCHOOL - OWNER: VILLAGE SQUARE SHOPPING CENTER, LLC - Request for a Special Use Permit FOR A PROPOSED PRIVATE SCHOOL (PRIMARY) at 9420 West Sahara Avenue, Suite #201 (Address: 93-816-0374) in (Limited Commercial) Zone, Ward 2 (Wolfson). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	4	Planning Commission Mtg.	20
City Council Meeting	7	City Council Meeting	18

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcards
7. Submitted after Final Agenda Protest/Support Postcards
8. Submitted after Meeting Protest/Support Postcard and Recordation Notice of City Council Action and Conditions of Approval
9. Backup Referenced from the 09-25-2008 Planning Commission Meeting Item 44

Motion made by STEVE WOLFSON to Approve subject to conditions and adding the following condition as read for the record:

A. The maximum number of students allowed is 25 and staff members is four. If these numbers increase, a review of condition will be required.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:
MAYOR GOODMAN declared the Public Hearing open.

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JAMES GRINDSTAFF, 9440 West Sahara Avenue, appeared representing the owner and the school. He stated that COUNCILMAN WOLFSON was upset about the confusion caused regarding distance separation. He suggested discussion on placing an acreage requirement, and if it did not exceed the determined number, a separation request would not be needed.

COUNCILMAN WOLFSON asked MARGO WHEELER, Director of Planning and Development, asked to explain why this applicant needed to apply for a special use permit. MS. WHEELER explained a school as a land use that is not use than typical uses within a shopping center. A school is a facility where a larger number of persons, come at the same time, stay for a long period of time and leave at a different time. Because schools have different characteristics, a special use permit is required to further analyze that use in the particular location.

The Councilman pointed out in this case both the Planning Commission and staff recommended approval. MR. GRINDSTAFF verified the school will have approximately 20 students and four staff members, stating that it could expand if the school grows within the next year.

COUNCILMAN WOLFSON asked MS. WHEELER if the applicant would have to come back in and reapply for a different special use permit if the school were to expand. MS. WHEELER replied that it would depend on whether or not there was a change in the required parking. The Councilman asked if a condition could be imposed requiring the applicant come back should the school expand. MS. WHEELER recommended that 20 students could be allowed with a required review of condition should that be the case. COUNCILMAN WOLFSON imposed a cap of 25 students and six staff members and if these numbers are exceeded, there would be a review of condition.

On an unrelated item, MR. GRINDSTAFF spoke about a model for the Great Mall of Las Vegas to be located in Ward 6. The 14 by 7-foot model is on display at the Centennial Hills Community Center. He invited the Council to go and see what will be presented to the City Council when the item comes forward for a design review.

MAYOR GOODMAN declared the Public Hearing closed.