

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: SEPTEMBER 1, 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS - OWNER: SCHOOL
BOARD OF TRUSTEES

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
GPA-38529	Staff recommends APPROVAL.	ZON-38530
ZON-38530	Staff recommends APPROVAL.	GPA-38529

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend a portion of the Southeast Sector Plan of the General Plan from LI/R (Light Industrial/Research) to PF (Public Facilities) on 14.4 acres at 245 North Pecos Road. There is a companion request for a Rezoning (ZON-38530) from M (Industrial) to C-V (Civic). The subject property has contained an elementary school since 2006. In 2009, Ordinance 6041 was adopted, requiring a Special Use Permit for a primary school in the M (Industrial) zoning district. As a result, the existing use of the site is legally non-conforming. The PF (Public Facilities) General Plan designation as well as the proposed C-V (Civic) zoning district are intended for public uses such as schools, and is compatible and harmonious with the surrounding area; therefore, staff recommends approval. If these applications are denied, the General Plan designation would remain LI/R (Light Industrial/Research), the zoning would remain M (Industrial) and the existing use would remain as a legally non-conforming use.

ISSUES

- The proposed General Plan Amendment request must be approved in order for the requested Rezoning to C-V (Civic) to be approved.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/03/03	The City Council approved a Special Use Permit (SUP-2322) for a proposed Public School, Primary at 245 North Pecos Road. The Planning Commission and staff recommended approval of this request.
07/29/10	The Planning Commission voted (7-0) to recommend APPROVAL of companion items GPA-38529 and ZON-38530 (PC Agenda Items #13-14/jg).

<i>Most Recent Change of Ownership</i>	
09/15/03	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
C.2006	The building construction started in 2005 and was completed in 2006.

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Pre-Application Meeting

These applications are initiated by the Planning and Development Department and no meeting was required.

Neighborhood Meeting

06/28/10	A neighborhood meeting was held on Monday, June 28, 2010 at 6:00 p.m. at the Miley Achievement Center Multi-purpose Room, 245 North Pecos Road, Las Vegas. One member of the public attended the meeting and voiced no concerns.
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Field Check

06/24/10	Staff conducted a field check and noted a well maintained elementary school facility.
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Details of Application Request

Site Area

Net Acres	14.4
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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Public School Primary / Undeveloped	LI/R (Light Industry/Research)	M (Industrial)
North	City Detention & Enforcement Facility	PF (Public Facilities)	C-V (Civic)
South	Offices, Commercial, and Industrial	LI/R (Light Industry/Research)	M (Industrial)
East	Mobile Home Park	ML (Medium Low Density Residential)	R-MHP (Residential Mobile/Manufactured Home Park)
West	Offices, Commercial, and Industrial	LI/R (Light Industry/Research)	M (Industrial)

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<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Spectrum	X		Y
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails	X		Y
Rural Preservation Overlay District		N	N/A
Las Vegas Redevelopment Plan Area		N	N/A
Development Impact Notification Assessment		N	N/A
Project of Regional Significance		N	N/A

ANALYSIS

The applicant is proposing to Rezone the site from M (Industrial) to C-V (Civic), and to amend the General Plan designation from LI/R (Light Industry/Research) to PF (Public Facilities). The proposed General Plan Amendment and Rezoning are appropriate, as the elementary school has been located on the southern portion of the subject property since 2006. The northern portion is undeveloped at the present time. Proposed General Plan designation and Zoning district are more appropriate for the existing use as they are intended for public uses such as schools, therefore, staff recommends approval. If these applications are denied the existing use would remain non-conforming to the current Zoning and General Plan designation.

FINDINGS (GPA-38529)

Section 19.18.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1.The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

The intensity of the proposed PF (Public Facilities) General Plan designation is compatible with the existing adjacent LI/R (Light Industry/Research), ML (Medium Low Density Residential) and PF (Public Facilities) land use designations.

2.The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

The proposed General Plan designation allows for the special purpose zoning district of C-V (Civic). This district is compatible with the existing adjacent land uses and zoning districts and will act as a buffer for the R-MHP (Residential Mobile/Manufactured Home Park) District to the east.

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3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

Access to the site is provided by Pecos Road, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. The subject property is located within an area of the City where all utilities, fire and police services are currently in place and available. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

No applicable plans are affected by this request.

FINDINGS (ZON-38530)

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. The proposal conforms to the General Plan.

The proposed C-V (Civic) zoning district conforms to the proposed PF (Public Facilities) General Plan designation.

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 proposed C-V (Civic) zoning district will allow public facilities development that is compatible with the surrounding land uses and zoning districts.

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

The proposed Rezoning is appropriate, as a school has been an existing use on the subject property since 2006.

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.

Access to the site is provided by Pecos Road, a 100-foot Primary Arterial, as designated by the Master Plan of Streets and Highways. The site will be sufficiently served by existing roadway facilities.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 25

NOTICES MAILED 81 (By City Clerk)

APPROVALS 0

PROTESTS 1