



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: APRIL 18, 2012

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: ANDRE AGASSI FOUNDATION FOR
EDUCATION - OWNER: CITY OF LAS VEGAS

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-44651	Staff recommends APPROVAL, subject to conditions:	

** CONDITIONS **

SUP-44651 CONDITIONS

Planning

1. Conformance to the approved conditions for Rezoning (Z-0072-00) and Site Development Plan Review [Z-0072-00(3)].
2. 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.
3. An Administrative Review is required one year from the date of approval.
4. To allow 192 parking spaces where 222 parking spaces are required is hereby approved.
5. 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 Department of Building and Safety.
6. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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Public Works

- 8.A Traffic Study update and a Parking Analysis shall be submitted to and approved by the Traffic Engineering Section of the Department of Public Works prior to the issuance of any building permits for this site. Comply with the recommendations of the approved Traffic Study update and Parking Analysis.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to allow an Alternative Parking Standard per Title 19.18 at an existing primary and secondary charter school located at 1201 West Lake Mead Boulevard. The request is a result of proposed tenant improvements to the site that will increase the number of classrooms. The applicant has provided a stamped parking study that supports the reduced parking demand for this specific location and use. Staff recommends approval of the request since the site, location and use are unique as evidenced by the parking study. If denied, the proposed increase in the number of classrooms would not be permitted due to the lack of required parking spaces.

ISSUES

- A Special Use Permit for Alternative Parking Standards is permitted where the unique operation of a particular use creates a lesser parking demand than the parking requirements otherwise applicable under Title 19.12. Staff supports the request since it meets the minimum standards required under Title 19.18.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/22/59	The Las Vegas City Planning Commission adopted a Generalized Land Use Plan. On this plan, the subject property was designated for Low Density Residential land uses, with a maximum of five dwelling units per acre.
08/07/85	The Las Vegas City Council adopted Community Profiles of the General Plan. On this plan, the subject properties were designated for Service Commercial (SC) and Medium Low Density Residential land uses with a maximum density of twelve dwelling units per acre.
04/05/92	The Las Vegas City Council adopted the Downtown Development Plan. On this plan, the subject properties were designated for a combination of Resident Serving Service Commercial and Residential Infill land uses.
03/02/94	The Las Vegas City Council adopted the West Las Vegas Plan as an element of the City of Las Vegas General Plan. On this plan, the subject properties were designated for Service Commercial (SC), Medium Low Density Residential (ML), and High Density Residential (H) land uses.

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09/04/96	The City Council denied a request for a General Plan Amendment (GPA-31-96) to amend a portion of the West Las Vegas Plan and the Southeast Sector of the General Plan from ML (Medium-Low Density Residential) and H (High Density Residential) to SC (Service Commercial) on a portion of the subject property but recommended O (Office) on another part. The Planning Commission recommended the same action on 08/08/96.
09/04/96	The City Council approved a request to Rezone (Z-0075-96) part of the subject property to a C-1 (Limited Commercial) Zone for a proposed 240-bed convalescent care facility and a 12,567 square-foot medical office building.
05/24/99	The Las Vegas City Council approved a General Plan Amendment (GPA-0007-99) to amended a portion of the subject property from Service Commercial (SC) and Medium Low Density Residential (ML) to Medium Density Residential (M).
05/24/99	The City Council approved a request to Rezone (Z-0012-99) a large tract that included part of the subject property from R-E (Residence Estates) to: RPD-18 (Residential Planned Development - 18 Units per Acre) for a 64-unit multi-family residential development for senior apartments. The Planning Commission and staff recommended approval.
10/18/00	The City Council approved a request for a General Plan Amendment (GPA-0016-00) to amend the land use classification to PF (Public Facilities) and a request to Rezone (Z-0072-00) the subject property to C-V (Civic). The Planning Commission and staff recommended approval.
12/06/00	The City Council approved a Site Development Plan Review [Z-0072-00(1)] for a multi-phase charter school on the subject site. The Planning Commission and staff recommended approval.
11/06/02	The City Council approved a Site Development Plan Review [Z-0072-00(2)] for a 57,838 square-foot addition to the Andre Agassi College Preparatory Academy on part of the subject property. The Planning Commission and staff recommended approval.
09/18/02	The Administrative Staff approved a Site Development Plan Review [Z-0072-00(3)] for a Temporary Modular Trailer on part of the subject property.

<i>Most Recent Change of Ownership</i>	
06/27/07	A deed was recorded for a change in ownership of all the parcels.

<i>Related Building Permits/Business Licenses</i>	
06/20/08	A Business License (M18-04423-F-143117) was issued for a consulting business at 1201 West Lake Mead. The business closed on 04/08/09.

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<i>Pre-Application Meeting</i>	
01/18/12	Staff reviewed the requirements for parking with the applicant and determined that a variance was needed since the code bases parking requirements on the number of classrooms.
02/14/12	A Building Permit (#204628) was issued for a tenant improvement for a Certificate of Completion. The permit has not been finalized.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required, nor was one held.

Field Check	
02/06/12	Staff visited the site and found ample parking available at 1:00 in the afternoon during school hours. The property was clean and well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	8.08

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Private School	C (Commercial)	C-V (Civic)
North	Church	MXU (Mixed Use)	R-2 (Medium-Low Density Residential)
	Single Family Dwelling	MXU (Mixed Use)	R-2 (Medium-Low Density Residential)
	General Retail	C (Commercial)	C-1 (Limited Commercial)
	Thrift Shop	C (Commercial)	C-1 (Limited Commercial)
	Undeveloped	MXU (Mixed Use)	C-1 (Limited Commercial)
South	Church	MXU (Mixed Use)	R-E (Residence Estates)
	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
East	Community Center	PF (Public Facility)	C-V (Civic)
West	General Retail	C (Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
West Lake Mead	Primary Arterial	Master Plan of Streets and Highways	100	Y
J Street	N/A	N/A	60	Y

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Public or Private School, Primary	32 classrooms	3: classroom	96				
Public or Private School, Secondary	14 classrooms	9: classroom	126				
TOTAL SPACES REQUIRED			222		192		N
Regular and Handicap Spaces Required			215	7	183	9	Y
Percent Deviation			14 %				

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ANALYSIS

The applicant is proposing to make tenant improvements to the site to increase the number of primary classrooms from 29 to 32 and secondary classrooms from 10 to 14, thereby increasing the parking required. No additional parking is being proposed which will result in a 14% deviation from the minimum number of parking spaces required for the uses on the site. Eleven additional employees/teachers will be hired in the near future for these additional classrooms. Parking for the secondary school on the site is currently under utilized due to a recent policy that restricts non-seniors from parking on school property. This has freed up ample parking, which could easily absorb the additional employees that the new classrooms will foster.

Title 19.18.030.D.4.d was created to address this type of situation and states:

“Alternative Parking Standard—Parking Demand Analysis. Where the unique operation of a particular use creates a lesser parking demand than the parking requirements otherwise applicable under this Subsection and LVMC Chapter 19.12, an alternative parking standard for the use may be established in conjunction with the submittal of a Parking Demand Analysis. In order to qualify for consideration, a Parking Demand Analysis must be signed and sealed by a professional traffic engineer, must document the weekday and weekend peak parking demand for the proposed use(s) for the site, and must provide justification for the alternative parking standard. The request for an alternative parking standard pursuant to this Subparagraph (d):

- i. Shall follow the process for a Special Use Permit application under LVMC 19.16.0110, to the extent the process can be made applicable.
- ii. May be approved as requested, or as modified, and may be made subject to conditions if the Planning Commission or City Council, as the case may be, determines that approval of the alternative parking standard is warranted.”

A parking study stamped and signed by Roger Freeman, a Professional Engineer in the State of Nevada, demonstrates that the parking demands for this specific use are lower than for similar type uses. Specifically, the study details that only 2% of students drive to school. This is a result of a school policy that only allows seniors to drive to school and then only if they maintain a minimum grade point average. The parking study included three dates where parking counts were taken. The result was an average of 88 vacant parking spaces each day. Staff also visited the site and found that a large number of parking spaces were also going unused. Four separate school day counts confirmed that there is ample parking on site for the proposed use.

The unique operation of this school and the high percentage of students who walk, bike, use mass transit or get dropped off support the use of an Alternative Parking Standard. For these reasons, staff supports the request. If denied, the additional classrooms would not be permitted. A condition has been added to require a review one year after approval has been granted.

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FINDINGS (SUP-44651)

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 use is appropriate for the C-V (Civic) zoning district. This use can continue to be conducted in a manner that is harmonious and compatible with existing surrounding development and land uses as proposed.

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

The subject site is currently operating as a Private Primary and Secondary School with no proposed changes to the existing site circulation. The seven additional classrooms will not generate additional demand as illustrated by the parking study; therefore, the site is physically suitable for the proposal.

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.

Primary access to the site is provided off West Lake Mead Boulevard, a 100-foot primary arterial, which has sufficient capacity to accommodate the proposed use. The site also has secondary access off of “J” Street, a locally designated street.

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 the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

The proposed use meets all applicable requirements as set forth pursuant to Title 19.12 requirements.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

NOTICES MAILED 284 (By City Clerk)

APPROVALS 0

PROTESTS 0