



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MAY 14, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: IMAGINE SCHOOLS AT EAST MESA - OWNER:
VAUSE FAMILY TRUST VAUSE

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-48849	Staff recommends DENIAL, if approved subject to conditions:	N/A

** CONDITIONS **

SUP-48849 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Private School, Primary use except as amended herein.
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. A Waiver from Title 19.12 is hereby approved, to allow no pick-up and drop-off area where adequate pick-up and drop-off areas are required.
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 Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

Conditions Page Two
May 14, 2013 - Planning Commission Meeting

6.All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7.A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Staff Report Page One
May 14, 2013 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Private School, Primary use to be located within an existing vacant 11,628 square-foot building at 1951 South Rainbow Boulevard. The subject site is located within a C-1 (Limited Commercial) zoning district. The project proposes no exterior alterations to the building. A Waiver has been requested to allow no pick-up and drop-off area where an adequate pick-up and drop-off areas is required. An alternative pick-up and drop-off plan was submitted that utilizes the existing parking lot. Traffic will flow one-way at pick-up and drop-off times with additional vehicle stacking to occur on El Parque Avenue. This proposal is inadequate because it will create an unsafe environment for children in the parking lot and may create traffic issues along El Parque Avenue and Rainbow Boulevard due to vehicle stacking in the public rights-of-way. Without an adequate pick-up and drop-off area staff recommends denial of this project. If this project is denied the use would not be permitted on site.

ISSUES

- A Special Use Permit is required for a Public or Private School, Primary in the C-1 (Limited Commercial) zoning district.
- A Waiver to allow no designated onsite pick-up and drop-off area where one is required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/19/86	The City Council approved the Annexation (A-0009-85). The effective date was 03/28/1986.
04/01/87	The City Council approved the Rezoning and Site Development Plan (Z-0012-87) of the subject property from N-U (Non-Urban) to C-1 (Limited Commercial) for a proposed Shopping Center (Day Care and Bike Shop). The Planning Commission recommended approval.
02/17/88	The City Council approved a Plot Plan Review (Z-0012-87) Child Care Center. The Planning Commission recommended approval.
09/09/10	Code Enforcement action (#94318) for an illegal banner. Enforcement action resolved on 12/02/10.

<i>Most Recent Change of Ownership</i>	
03/21/20	A deed was recorded for a change in ownership.

Staff Report Page Two
May 14, 2013 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
1988	A 11,624 square-foot building for a Day Care Center was constructed. A Certificate of Occupancy was issued by the for a Child Care Facility on 09/26/88.
1988	A business license (#N16-00012) was issued for a Child Care Facility (for 228 children).
06/05/08	A building permit (#117047) for an 841 square-foot structure (shade structure) was issued. The permit was finalized on 03/03/09.
02/06/13	A building permit (#229220) was issued for Solar Panels. The permit has not been finalized.

<i>Pre-Application Meeting</i>	
03/26/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Parking Variance and for a Special Use Permit for a Private School, Primary.

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

<i>Field Check</i>	
04/03/13	A field check of the subject property revealed that the property was vacant and well maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.69

<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	Vacant	S-C (Service Commercial)	C-1 (Limited Commercial)
North	General Retail	S-C (Service Commercial)	C-1 (Limited Commercial)

Staff Report Page Three
May 14, 2013 - Planning Commission Meeting

<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>	
				Office, other than Listed
				Office, Medical or Dental
				General Personal Service
East		Single Family, Detached	R (Rural Density Residential)	R-E (Residence Estates)
West		Shopping Center	S-C (Service Commercial)	C-1 (Limited Commercial)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
No Special Purpose and Overlay	N/A
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

<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>
El Parque Avenue	Secondary Thoroughfare	Master Plan of Streets and Highways	60	N/A

Staff Report Page Four
May 14, 2013 - Planning Commission Meeting

Pursuant to Title 19.08 and 19.18.030, 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	
Child Care Center	228 students 19 staff	1 space per 10 children, 1 per staff member	20				
Private School, Primary	8 classrooms	3 spaces per classroom	24*				
TOTAL SPACES REQUIRED					20		Y
Regular and Handicap Spaces Required				1	18	2	Y

*The site is parking impaired as detailed in Title 19.18.030 (D)

Waivers		
Requirement	Request	Staff Recommendation
Adequate pick-up and drop-off areas must be provided on-site.	No pick-up and drop-off area	Denial

ANALYSIS

The applicant is proposing Private School, Primary at 1951 South Rainbow Boulevard. The prior use of this vacant building was an Individual Child Care Center. The applicant intends to utilize this site to teach kindergarten through second grade temporarily while land is acquired to construct a campus that can accommodate their entire kindergarten through high school curriculum. The primary obstacle with this site is that no pick-up and drop-off area is provided where one is required.

The Public or Private School, Primary use is defined as “an institution that provides kindergarten through 8th grade education and is supported by a public, religious or private organization.” The proposed use meets the definition for it operates as a nationwide Charter school with programs kindergarten through 8th grade. Imagine school is proposing to offer classes ranging from kindergarten through 2nd grade at this location.

Staff Report Page Five
May 14, 2013 - Planning Commission Meeting

The Minimum Special Use Permit Requirements for this use include:

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

The proposed does not meet the requirement to provide adequate pick-up and drop-off area because there is not one provided. As a result of the applicant proposing to utilize the parking lot drive aisle as a pick-up and drop-off area, compiled with queuing in the public rights-of-way, as well as the increase trip generation the proposed; Private School, Primary use will not create, an environment that is compatible and harmonious with the surrounding neighborhood; therefore, Staff recommends denial of Special Use Permit.

The applicant's report fails to properly discuss pick-up and drop-off procedures. The report calls for the west parking lot entrance on El Parque Avenue to intake traffic and for the east parking entrance to facilitate the discharge of traffic on to El Parque Avenue. Additionally, the stacking of up to 12 vehicles will be queued onto El Parque Avenue adjacent to residential homes. The proposal is inadequate as the existing drive aisle is not wide enough, (approximate 22 feet in total width) to accommodate both the queuing of vehicles, for the delivering and picking-up of children and the required safe distances needed to maneuver in and out of the parking stalls. Additionally, having vehicles queued in the public right-of-way to enter the site is not desirable.

FINDINGS (SUP-48849)

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 Private School, Primary is consistent with the uses intended in the SC (Service Commercial) Land Use designation; however the current site design will create traffic congestion because of the proposed queuing of vehicles in the parking lot and on El Parque Avenue.

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

The proposed site is not physically suitable for the proposed use because it is not designed to safely accommodate the volume of traffic that will be created at peak pick-up and drop-off time because no drop-off or pick-up area is provided.

Staff Report Page Six
May 14, 2013 - Planning Commission Meeting

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 has adequate for the entrance is serviced from a 60-foot right-of-way (El Parque Avenue).

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 is inconsistent with this site and the surrounding neighborhood because of the traffic congestion that will be created at peak pick-up and drop-off time due to the absents of a pick-up and drop-off area and the proposed queuing of vehicles in the parking lot and on El Parque Avenue. Additionally during pick-up and drop-off times children and vehicles will be competing for the space (parking stalls and drive isles) and impeding each other from safely maneuvering throughout the parking lot.

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

The proposed use fails to provide an adequate pick-up and drop-off area and therefore, does not meet all the applicable conditions per Title 19.12.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 184

APPROVALS 0

PROTESTS 1