



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: JUNE 14, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: CHARTER SCHOOLS DEVELOPMENT CORPORATION - OWNER: C K W Y VEGAS, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-64430	Staff recommends DENIAL, if approved subject to conditions:	
SDR-64431	Staff recommends DENIAL, if approved subject to conditions:	SUP-64430

** NOTIFICATION **

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

NOTICES MAILED 1458

APPROVALS 0 - SUP-64430 and SDR-64431

PROTESTS 2 - SUP-64430 and SDR-64431

**** CONDITIONS ****

SUP-64430 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Public or Private School, Primary use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-64431) shall be required.
3. 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.
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, as well as submitted as part of any business license application.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7. The number of students for this site is limited to a maximum of 200 students.
8. Prior to operating as a school, construct school zone flashers on Washington Avenue and Lamb Boulevard meeting the approval of the City Traffic Engineer unless specifically not required in the approved Traffic Impact Analysis.
9. 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

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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, or 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.

10. There shall be an administrative review 60 days after the school has opened to insure compliance with the approved Traffic Impact Analysis as it relates to the school pick-up and drop-off plan and the overall school traffic operations. Corrections for any non-compliance issues must be completed by the applicant within 60 days of written notice from the City.

SDR-64431 CONDITIONS

Planning

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-64430) shall be required, if approved.
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. All development shall be in conformance with the site plan and landscape plan, date stamped 05/18/16, except as amended by conditions herein.
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.

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6. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. A Special Use Permit, such as SUP-64430, to operate a school on the site must be approved.
10. Correct all American's with Disabilities Act (ADA) deficiencies on the sidewalks adjacent to this site, if any, in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site.
11. Landscape and maintain all unimproved rights-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
12. Submit an Encroachment Agreement for landscaping and private improvements in the Lamb Boulevard and Washington Avenue public rights-of-way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (229-4836).
13. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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14. 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.
15. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to convert an existing 48,280 square-foot shopping center into a primary school at 900 North Lamb Boulevard on the northeast corner of two 100-foot wide Primary Arterials (Lamb Boulevard and Washington Avenue). Staff does not support this request.

ISSUES

- A Special Use Permit (SUP-64430) is required to permit a Primary School to be located in a C-1 (Limited Commercial) zone. Staff does not support this request.
- The proposed Primary school use is located on the corner of two 100-foot wide Primary Arterials (Lamb Boulevard and Washington Avenue). This will make access for both vehicles and pedestrians problematic given that both streets have medians limiting access to the site and turning options.

ANALYSIS

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 as the applicant has stated in the justification letter that only kindergarten through fifth grades will be offered.

The Minimum Special Use Permit Requirements for this use include:

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

The site plan as submitted has many traffic related issues, both onsite and offsite, which makes it difficult to support. Due to existing median islands on Washington Avenue and Lamb Boulevard, access to this site is by right-in and right-out only. Traffic headed north on Lamb Boulevard would be forced to make a U-turn in order to head south to access the site. Similarly, eastbound traffic on Washington Avenue would need to make a U-turn at Lamb Boulevard for access. This would present queueing problems on both Washington Avenue and Lamb Boulevard. N.R.S. requires a reduced speed limit of 15 mph in Primary School zones (whether private or public). The reduction in speed along two Primary Arterials will further exacerbate traffic and queueing issues.

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The circulation pattern indicates access to the site during drop off/pick up times only on Washington Avenue. Again, this will cause queueing problems. The onsite circulation shows traffic queued for dropping off and picking up blocking parking stalls. Also, it shows dual (parallel) stacking in the parking lot which would further inhibit access to parking spaces. With the parallel vehicle proposal, the vehicles would not be able to make the onsite turns.

The plan indicates that 51 parking spaces will be removed to allow for the proposed circulation plan for drop off and pick up leaving 127 parking spaces. When the school is fully operational, it will have 29 classrooms parked at three spaces each for a total required 87 parking spaces. This will leave ample parking for visitors; however, as noted above, access too much of this parking will be inhibited during times of student pick-up and drop-off.

The applicant indicates that all of the commercial uses on the site will be removed and the entire site will operate as the school campus. All improvements to the buildings will be inside and can be addressed during the building permit process. The landscaping will remain as previously approved for the shopping center with dead plants being replaced as needed.

A recreational play area will be installed on the west side of the property behind the larger building on the site. Staff recommended that a neighborhood meeting be held prior to the Planning Commission as a result of the proposed play area location and the problematic traffic circulation issues the school will create. This meeting was held June 2, 2016.

This location for a school site at the corner of two Primary Arterials is not recommended. Because of existing conditions, no left turns are allowed into the site which forces certain traffic movements to make U-turns. Additionally it appears that surrounding areas will be inconvenienced by parents who would rather park in their subdivisions or places of business than go into the queue to pick up their children. As a result of these and the difficulties that the proposed drop off and pick up circulation plan presents, staff recommends denial of the project.

FINDINGS (SUP-64430)

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 queueing of vehicles in the parking lot.

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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.

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.

The site has direct access from two 100-foot wide Primary Arterials (Lamb Boulevard and Washington Avenue), which are adequate in size to meet the requirements of the use. However, they both have medians that limit turning options into the site that will create congestion problems for the school at this location.

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 for this site and the surrounding neighborhood because of the traffic congestion that will be created at peak pick-up and drop-off times due to the proposed queuing plan. This poses a safety risk, as designed, for vehicle traffic and for pedestrians (school children) as a result of the location on two Primary Arterials and the large volume of traffic that is generated with such a school in addition to the traffic from the streets.

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.

FINDINGS (SDR-64431)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1.The proposed development is compatible with adjacent development and development in the area;

This project is not compatible with adjacent development as a result of the proposed circulation plan. Primary schools should be located on collector or local streets and not on primary arterial streets.

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2.The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

This project does not meet with the policies and standards established for appropriate drop off and pick up circulations plans of the City.

3.Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

This project will have a negative impact on both adjacent roadways during peak drop off and pick up times. This will have a negative impact on both the local and through traffic that utilize the Primary Arterial roads of Lamb Boulevard and Washington Avenue.

4.Building and landscape materials are appropriate for the area and for the City;

There are no proposed façade changes to the buildings and the landscaping will remain as previously approved. All new landscaping will match the existing plant pallet.

5.Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The proposed project will remain aesthetically the same, except for the alteration of the parking lot.

6.Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed amount of traffic that will be generated during peak drop off and pick up times will pose a safety concern for both vehicle and pedestrian traffic that utilize the Lamb Boulevard and Washington Avenue rights-of-way. The circulation plan presented will potentially have traffic backed onto these rights-of-way causing sever congestion and possibly blockage for short periods of time.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/19/01	The City Council approved a General Plan Amendment (GPA-0016-01) from M (Medium Density Residential) to SC (Service Commercial), a Rezoning (Z-0041-01) from R-MHP (Residential Mobile/Manufactured Home Park) to C-1 (Limited Commercial), A Variance (V-0045-01) for a zero rear-yard setback, Special Use Permits (U-0089-01, U-0090-01 and U-0091-01) for Packaged Liquor, Beer/Wine/Cooler Off-Site sales, and Gasoline Sales, and a Site Development Plan Review [Z-0041-01(1)] for a 45,309 square-foot commercial center on 4.09 Acres on the northwest corner of Lamb Boulevard and Washington Avenue. The Planning Commission and staff recommended approval.
01/22/03	The City Council approved a Master Sign Plan (MSP-1258) for a 45,309 square-foot Retail Commercial Center at the northwest corner of Lamb Boulevard and Washington Avenue. The Planning Commission and staff recommended approval.
09/21/05	The City Council approved a Site Development Plan Review (SDR-7968) for a 5,000 square-foot retail building in conjunction with an existing shopping center and Waivers of the 60% glazing requirements and a reduction of foundation and parking area landscaping standards at the northwest corner of Lamb Boulevard and Washington Avenue. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
09/13/13	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
05/16/16	A Traffic Impact Analysis (T64661) was submitted.

<i>Pre-Application Meeting</i>	
04/19/16	Staff met with the applicant regarding a request to convert and existing shopping center into a Primary school at 900 Lamb Boulevard. Both Fire and Traffic raised concerns regarding the proposed pickup and drop-off plan. The applicant agreed to work with staff to come up with a plan that addressed these concerns before submitting the applications for entitlements.

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<i>Neighborhood Meeting</i>	
06/02/16	Meeting Start Time: 5:30 pm Meeting End Time: 6:30 pm Attendance: 31 Members of the Public 9 Applicant Representatives 1 Interpreter 1 Planning Staff Member A Voluntary neighborhood meeting was held as follows: The meeting was set up with 4 boards at the front of the room containing the supporting documentation (plans) for the project. The following questions were asked/answered: 1. What grades would be included? K-5, with K provided the first year and adding a grade every year thereafter. 2. How does the school fit with the Board of Education? Is it part of CCSD? The school would be an independent, tuition-free public school. It would not be part of CCSD. 3. Will there be additional grades past the 5th? They are looking at other potential sites for future schools, including middle and high schools. 4. How many classrooms? Four classrooms for each grade, with a total of 30 in all (including special classrooms for music, etc.). No more than 25 students per classroom. 5. Will there be a playground? Yes, there will be an “urban” playground provided. 6. How are students chosen? Is it for the local neighborhood only? The students will be chosen on a first-come, first-served basis, with some prioritizing of neighborhood children. 7. Is transportation of children provided? No, transportation of children will be the responsibility of the parents. 8. Will safety crossings be provided? Safety crossings will be provided as required. 9. If the Special Use Permit is approved, will it be permanent, or will it need to be certified each year? Once approved, the Special Use Permit is permanent.

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<i>Neighborhood Meeting</i>	
	10. Why this location? They looked at several underserved areas and this location seemed a “good fit”, with an available commercial facility that could be converted to a school with minimal cost and construction. At the end of the meeting, the question was asked of the attendees: Who would like to see a school in this location? By show of hands, the overwhelming majority showed support, with no one opposed.

<i>Field Check</i>	
05/05/16	Staff visited the site and found a shopping center with the major tenant space vacant as well as several of the smaller tenant spaces. There was a temporary chain link fence around the vacant portion of the center. No permit has been issued for a temporary fence at this location.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.96

<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	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Las Vegas Wash	Las Vegas Wash	Las Vegas Wash
South	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
	Mobile Home Park	ML (Medium Low Density Residential)	R-MH (Mobile/Manufactured Home Residential)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A

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<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
No Applicable Special Purpose or Overlay Districts	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

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>
Lamb Boulevard	Primary Arterial	Planned Streets and Highways Map	100	Y
Washington Avenue	Primary Arterial	Planned Streets and Highways Map	100	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	29 Classrooms	3 per Classroom	87				
TOTAL SPACES REQUIRED			87		127		Y
Regular and Handicap Spaces Required			83	4	123	4	Y