



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: AUGUST 13, 2024

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT: SOMERSET ACADEMY - OWNER: ZIONS FIRST NATIONAL BANK

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
24-0323-SDR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 39

NOTICES MAILED 911

PROTESTS N/A

APPROVALS N/A

**** CONDITIONS ****

24-0323-SDR1 CONDITIONS

Planning

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-45943) and all subsequent amendments, except where 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. All development shall be in conformance with the site plan and light pole elevations, date stamped 06/18/24, 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 Building and Safety Division.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Staff Report Page One
August 13, 2024 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to install four proposed 60-foot tall athletic field lights on the Somerset Sky Pointe Academy campus on 12.14 acres at 7038, 7058 and 7078 Sky Pointe Drive.

ISSUES

- A similar request was previously approved by the Planning Commission 09/11/18, but the approval expired 09/11/20.
- Pursuant to Title 19.08.040.E.6, Exceptions to the development standards that are not approved by the Director of Community Development may be acted upon by the Planning Commission or City Council as part of a Site Development Plan Review. The disposition of the request may be incorporated into the action on the Site Development Plan Review.
- The applicant expects evening events to end by 9:30 p.m. at the latest, and therefore the lights would be turned off shortly afterward. Events would be held intermittently.

ANALYSIS

The applicant is requesting to amend the approved Site Development Plan Review (SDR-45943) for Somerset Academy to install field lighting for outdoor sports activities. Somerset Academy is a public primary and secondary charter school that has been at this location since 2013. The request includes four, 60-foot light standards that would be placed at the corners of the existing playing field, which is situated on the west side of the property between the three existing buildings. The lights will be designed to have no spillover light onto adjacent residential properties, which are located to the north and east of the subject site.

The site is zoned SX-TC (Suburban Mixed Use - Town Center) and subject to the Town Center Development Standards Manual, which is silent regarding general lighting standards and does not specify particular onsite lighting standards for schools. In such cases, the applicable regulations and standards contained in the Unified Development Code (LVMC Title 19) apply.

Staff Report Page Two
August 13, 2024 - Planning Commission Meeting

Title 19.08.040.E.5 requires low intensity and cutoff lighting to eliminate high angle brightness. In contrast, the proposed sports field lighting is high intensity lighting, with an output of 113,600 lumens. However, lights will be designed with an extended visor shield, which will direct light 23 degrees below the horizontal plane extending from the light source. The maximum allowed lighting height by Title 19.08.040.E.5 is 30 feet for properties less than 15 acres in size. The applicant is requesting a maximum mounted height of 60 feet. As there are adjacent residential properties that could be negatively impacted by the proposal, Exceptions to these deviations were not reviewed administratively by department staff. Pursuant to Title 19.08.040.E.6, Exceptions to the development standards that are not approved by the Director of Community Development may be acted upon by the Planning Commission or City Council as part of a Site Development Plan Review.

A similar request (SDR-73832) was made for 60-foot tall lighting in 2018, which was approved by the Planning Commission. Staff had recommended approval. This was preceded by City Council approval of a Review of Condition (ROC-74037) deleting Condition Number 1 of SDR-45943, which had originally stated that no lighting shall be provided for the athletic field.

Application for a building permit (C18-04645) for the field lighting was made within the two-year approval period, but no permit was actually issued, and therefore SDR-73832 expired September 11, 2020. The applicant is ready to again move forward with the lighting proposal. The applicant expects evening events to occur intermittently from dusk until 9:30 p.m. at the latest. The lights could be turned off sooner if an event ends earlier.

The 60-foot pole height is comparable to other sports field lights at parks and schools throughout the city. The taller height allows for more focused downward directed light onto the field. The applicant has submitted documents showing no spillage of light onto adjacent residential properties. The adjacent residential properties are further shielded by the existing two-story buildings, which form a horseshoe shape around the playing field. The open end of the field faces Sky Pointe Drive and the U.S. 95 freeway, which are at a higher grade than the field. Staff therefore maintains that the proposal can be compatible with the surrounding properties and recommends approval of the Major Amendment to Site Development Plan Review (SDR-45943) to add the field lights, subject to conditions.

FINDINGS (24-0323-SDR1)

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;**

Staff Report Page Three
August 13, 2024 - Planning Commission Meeting

The proposed field lights have been designed to be compatible with the adjacent development within the area.

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

The Town Center Development Standards Manual is silent regarding general lighting standards and onsite lighting standards for schools in particular. Title 19 requirements regarding lighting height and intensity are not met by this proposal.

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

Site access and circulation will not be impacted by the addition of the proposed field lights.

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

The proposed field lighting type is appropriate for the school site and this area.

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 field lights are designed to direct light downward without spillage onto neighboring properties. The submitted elevations are compatible with the existing school and existing development in this area. Light effects to surrounding properties are mitigated by the existing two-story buildings and landscaping.

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

If approved, the proposed lights will be subject to building permit review, thereby protecting the public health, safety and general welfare.

Staff Report Page Four
August 13, 2024 - Planning Commission Meeting

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of the Northwest, including the subject site. The Planning Commission and staff recommended approval.
10/17/12	The City Council approved a General Plan Amendment (GPA-45940) to amend the Planned Streets and Highways Map and Schedule 13-1A and to modify Map 2C of the Transportation & Streets and Highways Element of the Las Vegas 2020 Master Plan to remove the frontage street alignment between Sky Pointe Drive and Elkhorn Road and to designate Sky Pointe Drive as a frontage street - special design: town center arterial from Tule Springs Road to the south end of the subject site. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Major Modification (MOD-45944) related to GPA-45940 to amend the Special Land Use Designation from SC-TC (Service Commercial - Town Center) to SX-TC (Suburban Mixed Use - Town Center), to remove the Town Center Loop Road alignment between Sky Pointe Drive and Elkhorn Road and to realign the Town Center Arterial Alignment from within the subject site and extend it along Sky Pointe Drive to the south end of the subject site. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Special Use Permit (SUP-45941) for a private school, primary and secondary with direct access/egress from a Town Center Primary Arterial at the southeast corner of Elkhorn Road and Sky Pointe Drive. The Planning Commission recommended approval and staff recommended denial.
	The City Council approved a Site Development Plan Review (SDR-45943) for a proposed 280-unit multi-family residential development, a 139,250 square-foot private school, primary and secondary campus and an associated encroachment agreement into the public right-of-way on 24.45 acres at the southeast corner of Elkhorn Road and Sky Pointe Drive. The Planning Commission recommended approval and staff recommended denial.
03/06/13	A two-lot Parcel Map (PMP-46559) on 24.09 acres at the southeast corner of Sky Pointe Drive and Elkhorn Road was recorded.
09/24/13	Planning Department staff Administratively approved a Site Development Plan Review (SDR-50697) for a Minor Amendment of an approved Site Development Plan Review (SDR-45943) for a Private School, Primary and Secondary and a revised phasing plan on 12.14 acres at 7038 and 7058 Sky Pointe Drive.

Staff Report Page Five
August 13, 2024 - Planning Commission Meeting

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
09/05/18	The City Council approved a request for a Review of Condition (ROC-74037) of an approved Site Development Plan Review (SDR-45943) to remove Condition Number One which states, "No lighting shall be provided for the athletic field, any future lighting shall first be approved at a public hearing by review of condition" on 12.04 acres at 7078 Sky Pointe Drive. Staff recommended approval.
09/11/18	The Planning Commission approved a request for a Major Amendment (SDR-73832) of an approved Site Development Plan Review (SDR-45943) for the addition of four proposed 60-foot tall field lights for a private school on 12.04 acres at 7078 Sky Pointe Drive. Staff recommended approval. The approval expired 09/11/20.
07/01/24	Department of Community Development staff administratively approved a request for a for a Minor Amendment (24-0095-SDR1) of an approved Site Development Plan Review (SDR-45943) to allow a 2,600 square-foot addition to an existing school development on 12.04 acres at 7078 Sky Pointe Drive.

<i>Most Recent Change of Ownership</i>	
10/06/21	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
03/18/13	A building permit (C-47503) was issued for civil improvements for a proposed educational facility at 7038 Sky Pointe Drive.
03/26/13	A building permit (C-224306) was issued for on-site improvements at 7038 Sky Pointe Drive.
	A building permit (C-224305) was issued for an elementary school building at 7038 Sky Pointe Drive. The permit was finalized on 08/14/13.
03/28/13	A building permit (C-226003) was issued for a middle school building at 7058 Sky Pointe Drive. The permit was finalized 08/14/13.
01/16/14	A building permit (C-248530) was issued for on-site improvements and hardscapes at 7038 Sky Pointe Drive. The permit was finalized 07/03/17.
	A building permit (C-248529) was issued for an addition to an existing middle school at 7058 Sky Pointe Drive. The permit was finalized 08/11/14.
	A building permit (C-249407) was issued for a high school building at 7078 Sky Pointe Drive. The permit was finalized 08/07/14.
03/03/16	A building permit (C-304281) was issued for a new e

Staff Report Page Six
August 13, 2024 - Planning Commission Meeting

Related Building Permits/Business Licenses	
10/24/18	An application for building permit (C18-04645) was processed for four (4) 60-foot height sports light poles at 7078 Sky Pointe Drive. A permit was not issued and the application expired 07/09/19.
08/27/19	A building permit (C19-03407) was issued for tenant improvements for general areas on the first floor of an existing high school at 7078 Sky Pointe Drive. The permit was finalized on 11/18/19.
03/06/24	Application was made for a building permit (C24-00691) for a one-story classroom and office addition to an existing elementary school, and the remodel of an existing classroom into two offices at 7038 Sky Pointe Drive. The submittal is still in the review process.

Pre-Application Meeting	
06/13/24	A pre-application meeting was held with the applicant to discuss submittal requirements for a Site Development Plan Review application. No major issues were discussed.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
06/27/24	During a field check of the site, staff noted an existing school playing field that is graded lower than Sky Pointe Drive and is surrounded by school buildings on the north, east and south. A wide landscape buffer is provided on the west side of the field. No major issues were noted.

Details of Application Request	
Site Area	
Net Acres	12.14

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Public or Private School, Primary and Secondary	SX-TC (Suburban Mixed Use - Town Center)	T-C (Town Center)

Staff Report Page Seven
August 13, 2024 - 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>
North	Residential, Single Family, Detached	SX-TC (Suburban Mixed Use - Town Center)	T-C (Town Center)
South	Undeveloped	SX-TC (Suburban Mixed Use - Town Center)	T-C (Town Center)
East	Residential, Single Family, Detached	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
West	U.S. 95 Freeway	Right-of-Way	Right-of-Way

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Centennial Hills	Y
Town Center	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
T-C (Town Center) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Shared Use Trail - E side of Sky Pointe Dr)	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A