



AGENDA MEMO - COMMUNITY DEVELOPMENT

PLANNING COMMISSION MEETING DATE: DECEMBER 12, 2023

DEPARTMENT: COMMUNITY DEVELOPMENT

**ITEM DESCRIPTION: APPLICANT: NEVADA STATE HIGH SCHOOL – OWNER:
CHARLESTON FESTIVAL RETAIL, LLC**

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0536-SUP1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 384

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

23-0536-SUP1 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under LVMC Title 19.12 for a Public or Private School, Secondary use.
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 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.
4. 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.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

6. Prior to the issuance of permits, contact sewer billing to determine the cost, if any, for the increased student capacity. If it is determined that this addition, requires an increase in sewer fees, comply with the regulations governing sewer fees for connection and usage.
7. This school's capacity on this site shall not exceed 50 students at any given time.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Public or Private School, Secondary use at 6250 West Charleston Boulevard, Suite #150.

ISSUES

- The Public or Private School, Secondary use is permitted in the C-1 (Limited Commercial) zoning district with the approval of a Special Use Permit. Staff supports this request.
- A Condition of Approval was added limiting this school's onsite capacity to no more than 50 students at any given time.

ANALYSIS

The subject property is zoned C-1 (Limited Commercial) with a TOD-1 (Transit Oriented Development – High) land use designation and is subject to Title 19 development standards. The applicant proposes to relocate its existing Nevada State High School campus to the subject suite that will serve 11th and 12th grade students in a primarily virtual setting. The submitted justification letter indicates that the suite would provide space for registration, offices, one classroom, one office, and an open space area. The proposed school, while accommodating a total of 210 students, would only provide twice per week onsite classes split between three times and groups. As a result, only 35 students would be present at any given time during school operations. Located within a shopping center, parking is shared throughout the development. Per the submitted site plan, a total of 554 parking spaces are provided where 381 are required.

The Public or Private School, Secondary use is defined as, "An institution that provides 9th through 12th grade education and is supported by a public, religious, or private organization." The proposed use meets the definition as indicated in the submitted justification letter. The Nevada State High School is a private organization that will provide education to students in 11th and 12th grade, therefore meeting this definition.

The Minimum Special Use Permit Requirements for this use include:

1. Schools shall be located on a collector street or larger.

The subject property is accessed by Charleston Boulevard. Charleston Boulevard is identified as a 100-foot Primary Arterial as defined by the Master Plan of Streets and Highways. Primary Arterials are higher capacity streets than Collector Streets. Therefore, this requirement is met.

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The proposed Public or Primary School, Secondary use is located within the Charleston neighborhood planning area as identified by the City of Las Vegas 2050 Master Plan. This area has high potential for transit-oriented development that may exacerbate school overcrowding, which is an issue the Master Plan seeks to address. If approved, the Public or Private School, Secondary use would accommodate a maximum of 210 students which may alleviate high school overcrowding in the Charleston area as high schools in the area range between 51 to 137 percent of capacity.

Staff finds that the proposed Public or Private School, Secondary use fulfills objectives identified in the City of Las Vegas 2050 Master Plan relating to school overcrowding and can be conducted in a harmonious and compatible manner within the existing shopping center and the adjacent, residential, commercial, and college land uses. Therefore, staff recommends approval of this Special Use Permit, subject to conditions.

FINDINGS (23-0536-SUP1)

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 Public or Private School, Secondary use can be conducted in a manner that is harmonious and compatible with the existing, surrounding commercial, college, and residential uses in the area and with future, surrounding uses as projected by the General Plan.

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

The subject site is a vacant commercial suite within an existing shopping center. The subject site is physically suitable for the type and intensity of land use proposed.

- 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 is provided by Charleston Boulevard, a 100-foot Primary Arterial as identified by the Master Plan of Streets and Highways which is adequate in size to meet the requirements of the proposed Public or Private School, Secondary use.

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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 this Special Use Permit will not compromise the public health, safety and general welfare of the public, as the use will be subject to regular inspection and business license review.

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

The proposed Public or Private School, Secondary use meets all of the applicable conditions per Title 19.12.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
02/09/61	The City Council approved a request for Rezoning (Z-0057-60) request from R-1 (Single Family Residential) to R-3 (Medium Density Residential) and C-1 (Limited Commercial) on property generally located on the north side of Charleston Boulevard, east of Torrey Pines Drive. The Planning Commission recommended approval of the request.
04/07/04	The City Council approved a request for a Site Development Plan Review (SDR-3790) with Waivers of the perimeter buffering and landscaping standards for a 101,000 square-foot retail center adjacent to the north side of Charleston Boulevard, approximately 375 feet east of Torrey Pines Drive. The Planning Commission and staff recommended approval of the request.
05/04/05	The City Council approved a Site Development Plan Review (SDR-6023) request for a 94,978 square-foot commercial development on 10.21 acres adjacent to the southeast corner of Torrey Pines Drive and Casada Way, expunging Site Development Plan Review (SDR-3790). The Planning Commission and Staff recommended approval.
12/07/05	The Department of Planning staff administratively approved a Minor Amendment (SDR-9904) request of an approved Site Development Plan Review (SDR-6023) to combine two building into a single building on 10.21 acres at the southeast corner of Torrey Pines Drive and Casada Way.
03/01/06	The City Council approved a Master Sign Plan (MSP-10761) for an existing Shopping Center on 10.10 acres adjacent to the north side of Charleston Boulevard, approximately 400 feet east of Torrey Pines Drive. The Planning Commission and staff recommended approval of the request.

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Most Recent Change of Ownership

02/11/15	A deed was recorded for a change in ownership.
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Related Building Permits/Business Licenses

c.2006	The shopping center was constructed.
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Pre-Application Meeting

10/05/23	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Special Use Permit.
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Neighborhood Meeting

A neighborhood meeting was not required, nor was one held.
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Field Check

11/01/23	Staff conducted a routine field check of the subject property and observed a vacant commercial suite. Nothing of concern was observed.
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Details of Application Request**Site Area**

Net Acres	2.47
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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Shopping Center	TOD-1 (Transit Oriented Development – High)	C-1 (Limited Commercial)
North	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	College, University, or Seminary	TOD-1 (Transit Oriented Development – High)	C-V (Civic)
East	General Retail, Other than Listed	TOD-1 (Transit Oriented Development – High)	C-1 (Limited Commercial)
West	Shopping Center	TOD-1 (Transit Oriented Development – High)	C-1 (Limited Commercial)

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Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: Charleston	Y
Special Area and Overlay Districts	Compliance
No Applicable Special Area or Overlay Districts	N/A
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 2	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Charleston Boulevard	Primary Arterial	Master Plan of Streets and Highways	100 Feet	Y

Pursuant to Title 19.08 and 19.12, 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	
Shopping Center	94,978 SF	1:250 SF	380				
TOTAL SPACES REQUIRED			380		544		Y
Regular and Handicap Spaces Required			372	8	527	17	Y