

SCHOOL/DAYCARE
(TITLE 30)

DEWEY DR/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0557-DFA, LLC:

USE PERMITS for the following: **1)** school; and **2)** daycare.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase building height; **2)** reduce height/setback ratio; **3)** alternative landscaping; **4)** reduce landscaping; **5)** architectural compatibility; **6)** eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building; **7)** reduce parking; **8)** allow access to a local street where not permitted; **9)** allow modified driveway design standards; and **10)** allow modified street standards.

DESIGN REVIEWS for the following: **1)** school; and **2)** daycare on 4.1 acres in a C-P (Office and Professional) Zone in the CMA Design Overlay District.

Generally located on the north side of Dewey Drive and the west side of Redwood Street within Spring Valley. MN/md/syp (For possible action)

RELATED INFORMATION:

APN:

163-26-411-002 through 163-26-411-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 42 feet where 35 feet is the maximum height permitted per Table 30.40-4 (a 20% increase).
2. Reduce the height/setback ratio requirement adjacent to a single family residential use to 63 feet where 87 feet is required per Section 30.56.070 and Figure 30.56-10 (a 27.6% reduction).
3.
 - a. Permit alternative landscaping adjacent to a residential use (single family) where landscaping per Figure 30.64-12 is required per Section 30.48.660.
 - b. Permit alternative landscaping adjacent to stacking lanes contiguous to the public right-of-way (Redwood Street) where landscaping per Figure 30.64-12 is required per Section 30.48.660.
4. Reduce landscape island fingers where an island finger shall be installed to provide a maximum of 6 spaces in a row when there is no planting strip and a maximum of 12 spaces in a row when there is a planting strip per Figure 30.64-14.
5. Waive architectural compatibility standards for a classroom and multi-purpose buildings per Table 30.40-4.
6. Eliminate the pedestrian walkway from the adjacent public sidewalk along Redwood Street to the principal building entrance where a 5 foot wide walkway is required to connect the adjacent sidewalk to the principal building entrance per Section 30.60.050.

7. Reduce parking to 90 parking spaces where 91 parking spaces are required per Table 30.60-1 (a 1.1% reduction).
8. Allow access to a local street where a daycare must be adjacent to, and accessed from, a collector or arterial street per Table 30.44-1.
9.
 - a. Reduce throat depth to 8 feet for a driveway along Diablo Drive where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 94.7% reduction).
 - b. Reduce the curb return radius for a commercial driveway along Diablo Drive to 5 feet where a minimum radius of 15 feet is required per Uniform Standard Drawing 222.1 (a 66.7% reduction).
10. Reduce the approach distance for a driveway along Diablo Drive to 103 feet where a distance of 150 feet is required to Redwood Street per Uniform Standard Drawing 222.1 (a 31.4% reduction).

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5525 to 5585 Redwood Street
- Site Acreage: 4.1
- Project Type: Daycare and school
- Number of Stories: 2 (existing and proposed buildings)
- Building Height (feet): 32 (existing building)/35 (multi-purpose building)/42 (classroom building)
- Square Feet: 27,096 (existing Building A)/10,746 (Building B)/7,504 (Building C)/12,031 (Building D)
- Parking Required/Provided: 67/223 (Phase 1a); 32/223 (Phase 1b); 66/90 (Phase 2); 89/90 (Phase 3); 91/90 (Phase 4)

History and Request

The subject property was reclassified to C-P zoning via ZC-2149-98 by the Board of County Commissioners (BCC) in April 1999 with a use permit for an assisted living facility. A design review for an office building was subsequently approved with WS-0244-02 (ZC-2149-98) in September 2002 by the BCC. The applicant is requesting to convert the existing office building into a daycare facility and private school (K through 8) and to develop the remainder of the site within the next 4 years in 4 phases. The daycare facility and private school will operate on weekdays between the hours of 8:00 a.m. to 4:00 p.m. The analysis below provides a description of each individual phase, including the estimated date of completion, site improvements, number of students, and parking analysis. There is currently an existing tenant within the office building; however, the tenant will vacate the building during phase 1b of the development. No increase to finished grade is proposed with this application request.

Site Plan – Phase 1a and 1b (estimated completion by August 2023)

The plans depict an existing 2 story office building (Building A) centrally located within the project site currently serving an office tenant. The office building will transition to a daycare facility and private school, consisting of 90 daycare students in 6 classrooms and 310 students (K through 8) in 18 classrooms for Phase 1a of the development. Phase 1b is designed to accommodate 90 daycare students in 6 classrooms and 400 students (K through 8) in 21 classrooms with the vacation of the existing office tenant. The existing office building has the following setbacks: 1) 234 feet from the north property line adjacent to Diablo Drive; 2) 231 feet from the south property line along Dewey Drive; 3) 88.5 feet from the east property line adjacent to Redwood Street; and 4) 86 feet from the west property line, adjacent to existing single family residences and undeveloped lots. Playground areas for the students are located immediately to the north and south of the office building. The proposed queuing plan for phase 1 of the development features a 1 way in and 1 way out, 2 way drive aisle, measuring 24 feet in width, located along the west, south, and southeastern portions of the site. Ingress (entrance) to the project site is granted via a proposed driveway located along Diablo Drive while egress (exit) from the site is provided through an existing driveway along Redwood Street. Phase 1a of the development requires 67 parking spaces where 223 parking spaces are provided. Phase 1b of the development requires 32 parking spaces where 223 spaces are provided.

Site Plan – Phase 2 (estimated completion by August 2024)

The plans depict an existing 2 story classroom building (Building A) centrally located within the project site. A 2 story classroom building (Building B) will be constructed immediately to the southwest of the existing building during phase 2 of the development. The first floor of the proposed classroom building will serve 120 daycare students while the second floor will serve 200 middle school students. Phase 2 is designed to accommodate a maximum of 800 students (200 daycare and 600 K through 8). The proposed classroom building has the following setbacks: 1) 395 feet from the north property line adjacent Diablo Drive; 2) 49 feet from the south property line along Dewey Drive; 3) 156 feet from the east property line adjacent to Redwood Street; and 4) 63 feet from the west property line, adjacent to existing single family residences and undeveloped lots. Playground areas are located to the north of the existing building and to the east of the proposed classroom building. A waiver of development standards is required to increase the height of the proposed classroom building to 42 feet. The portion of the building measuring 35 feet in height encroaches into the 3:1 height setback, necessitating a waiver of development standards. A third waiver is requested as a pedestrian connection will not be provided from the sidewalk along Redwood Street to the principal building entrances. The proposed queuing plan for Phase 2 of the development features a 1 way in and 1 way out, 2 way drive aisle, measuring 24 feet in width, located along the west, south, and southeastern portions of the site. Ingress (entrance) to the project site is granted via a proposed driveway located along Diablo Drive while egress (exit) from the site is provided through a proposed (reconstructed) driveway along Redwood Street. A second driveway entrance to the project site is granted via a proposed driveway along Diablo Drive, located at the northeast corner of the site. The second driveway entrance is for ingress (entrance) purposes only serving busses that will pick-up and drop-off students. The bus queuing lane measures 24 feet in width and is located along the northeast portion of the site, along Redwood Street. Busses will exit the site from the driveway adjacent to Redwood Street. A waiver of development standards is required to reduce the throat depth and curb return radius for the second driveway entrance along Diablo Drive, in addition to

reducing the approach distance to the Diablo Drive and Redwood Street intersection. Phase 2 of the development requires 66 parking spaces where 90 parking spaces are provided.

Site Plan – Phase 3 (estimated completion by August 2025)

The plans depict an existing 2 story classroom building (Building A) centrally located within the project site. A 2 story classroom building (Building B) will be constructed immediately to the southwest of the existing building during phase 2 of the development. A 2 story classroom building (Building C) will be constructed immediately to the east of Building B during phase 3 of the development. Phase 3 of the development will allow the campus to grow to its full capacity of 1,000 students (250 daycare and 750 K through 8). Building C has the following setbacks: 1) 398.5 feet from the north property line adjacent to Diablo Drive; 2) 129 feet from the south property line along Dewey Drive; 3) 53 feet from the east property line adjacent to Redwood Street; and 4) 136 feet from the west property line, adjacent to existing single family residences and undeveloped lots. Playground areas are located to the north of the existing building and to the southeast of classroom Buildings B and C. The circulation and queuing plan for Phase 3 of the development remains unchanged from Phase 2. Phase 3 of the development requires 89 parking spaces where 90 parking spaces are provided.

Site Plan – Phase 4 (estimated completion by August 2026)

The plans depict an existing 2 story classroom building (Building A) centrally located within the project site. A 2 story, multi-purpose building (Building D) will be constructed immediately to the north of Building A. The multi-purpose building will consist of a gymnasium, art and science classrooms, and 2 kitchens. The multi-purpose building has the following setbacks: 1) 93.5 feet from the north property line adjacent to Diablo Drive; 2) 389 feet from the south property line along Dewey Drive; 3) 95 feet from the east property line adjacent to Redwood Street; and 4) 81 feet from the west property line, adjacent to existing single family residences and undeveloped lots. Playground areas for the students are located immediately to the north and northeast of the multi-purpose building. A second playground area is located immediately to the southeast of Buildings B and C. The addition of the multi-purpose building will not increase student capacity on the campus; however, the addition of the 2 classrooms necessitates a waiver of development standards to reduce parking. Phase 4 of the development requires 91 parking spaces where 90 parking spaces are provided.

Landscape Plans

The plans depict an existing landscape area along the west property line measuring 10 feet in width. A waiver of development standards to plant an alternative species of trees, in lieu of large 24-inch box evergreen trees, is requested due to the overhead NV Energy easement. A 6 foot wide landscape area will be maintained along Diablo Drive and Redwood Street. A waiver of development standards is requested to permit a 6 foot wide landscape area along the vehicle stacking lanes, adjacent to Redwood Street, where an intense landscape buffer is required per the CMA design standards. Interior landscaping is equitably distributed throughout the site; however, a waiver is also requested to reduce the required number of landscape finger islands per Figure 30.64-14.

Elevations

Building A (existing building) consists of 2 stories measuring 32 feet to the top of the parapet wall. The exterior of Building A consists of stucco, stone veneer, and an aluminum storefront window system. The building is painted with neutral, earth tone colors. Buildings B and C consist of 2 stories measuring 42 feet in height to the top of the parapet roof. The buildings have varying rooflines including pitched roof elements consisting of standing seam metal. Decorative metal panels are provided on portions of the buildings to complement the primary exterior, consisting of stucco. Standing seam metal canopies are also provided over portions of the first floor area for the buildings. Building D measures 35 feet to the top of the parapet wall and consists of varying rooflines. The exterior of the building consists of stucco, accentuating decorative metal panels, and an aluminum storefront window system. Standing seam metal canopies are also provided over portions of the first-floor area for the buildings. Buildings C and D are painted with neutral, earth tone colors. All rooftop mounted equipment will be screened from public view and the right-of-way by parapet walls. A waiver of development standards is required as the architecture of the proposed buildings is not compatible with the existing single family residences to the west.

Floor Plans

Building A (existing building) measures 27,096 square feet in area and consists of 2 floors with multiple classrooms and restroom facilities. Building B has an area of 10,746 square feet and consists of 2 floors with multiple classrooms, prayer room, electrical room, and restroom facilities. Building C measures 7,504 square feet in area and consists of 2 floors with classrooms, a prayer room, library, laundry room, administrative offices, activity room, teacher's workroom, and restroom facilities.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the proposed daycare and private school (K through 8) will serve the Jewish communities that primarily live in Summerlin and Henderson. This location is approximately halfway between the existing communities. The site is appropriate for this use because of convenient access from major streets, and proximity to other similar community related community services. The proposed design of the classroom and gymnasium buildings are architecturally compatible with the existing office building and is similar in style to the adjacent Spring Valley Hospital and Grant Sawyer Middle School, which dominate the architectural styles of the immediate neighborhood. The proposed highest point of the shed roof on the prayer room is 42 feet high, requiring a waiver to increase building height an additional 7 feet. The high point of the building is on the opposite side of the site to the residential parcels on the west side, mitigating the impact of the height to the existing development. Immediately north of the school site is the Spring Valley Hospital, which is several feet higher than the proposed school and establishes a precedent for height in the neighborhood. Directly to the east, where the height will have the most impact, there exists a public middle school playground which will not be negatively affected by the extra 7 feet of additional height on the proposed school site. Therefore, the impact of the proposed height on the neighborhood is negligible. The reduction to throat depth is justified as the driveway is designated as 1 way entering movements only. The

throat depth cannot be met due to the parking requirements for the project. This driveway is required to provide for on-site circulation for parents during the pick-up and drop-off operations. The parking spaces are primarily for staff who would not be utilizing them during the pick-up and drop-off time periods. Additionally due to the nature of the operations of the facility the parking lot does not experience a lot of turnover during a short period of time, except during the pick-up and drop-off time periods of which the parents would not be utilizing the parking stalls to pick-up or drop-off students. Thus, the potential conflicts with the vehicles utilizing the driveway will be low during the peak time due to the operational characteristics.

To mitigate the request to reduce the height setback ratio, the applicant is proposing to install 24 inch box Heritage Live Oak trees in lieu of large evergreen in the landscape buffer. The tree spacing and quantity will be as required by Figure 30.64-12, meeting the intent of the of the buffering requirements. The applicant states the request to waive the intense landscape buffer adjacent to the vehicle stacking lane along Redwood Street is justified as they propose to retain the existing 6 foot landscape width while providing the trees at minimum spacing to accommodate tree health and retaining of existing healthy trees. Increasing the landscape width would reduce the relatively small daycare playground area. The landscape buffer required along the length of Redwood Street is opposite the playground area/sports field of the Grant Sawyer Middle School where visual privacy and noise reduction concern would be very minimal. The applicant proposes to provide the pedestrian connection on Diablo Street only. Pedestrians in this case are primarily school age children. The access provides a safe and unobstructed path to the building entries from the public right-of-way. If additional access connections were provided on either Redwood Street or Dewey Avenue, the children would have to cross on site vehicular traffic lanes, which is a substantial hazard. All new parking areas include the required landscaping. The adjacent intense landscape buffer to the existing, non-compliant parking area will shade and screen the parking spaces adequately. In addition, the existing parking space canopies will reduce the heat island effect better than the required trees. The driveway along Diablo Drive is positioned to align with an existing driveway on the north side of Diablo Drive. This driveway is restricted to be utilized by school buses only, as such the number of vehicles accessing the driveway will be low. The driveway is designated as one-way entering movements only. This 5 foot radius is specifically to accommodate right turn exiting vehicles which will not occur at this driveway. The larger radius is not needed for the buses to make either a left or right turn into the site, this movement can be performed with the 5 foot radius. Additionally with this design non-standard sidewalk ramps are requested. The proposed design is a result of the requested waiver but still allows for pedestrians to cross the driveway. The typical additional sidewalk is not needed in order for persons to cross the driveway nor is a pedestrian access provided from these locations into the site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0360-07	Place of worship - expired	Approved by PC	May 2007
WS-1334-05	Signage for an office complex	Approved by BCC	July 2006

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0316-02	One lot commercial subdivision	Approved by PC	September 2002
WC-0244-02 (ZC-2149-98)	Waiver of conditions in conjunction with a design review for an office building	Approved by BCC	September 2002
ZC-2149-98	Reclassified the project site to C-P zoning with a Use Permit for an assisted living facility	Approved by BCC	April 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	C-P	Spring Valley Hospital
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-4	Senior housing
East	Public Use	P-F	Grant Sawyer Middle School
West	Neighborhood Commercial	R-E	Undeveloped & single family residences

Related Applications

Application Number	Request
VS-22-0558	A request to vacate a pedestrian access easement is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

Use Permits

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Use Permits & Waiver of Development Standards #8

Staff’s primary concerns with schools and daycare facilities are to ensure compatibility with existing and planned surrounding land uses and that there is adequate on-site parking. While the parking requirements for the proposed development are met for the first 3 phases of the development, the required number of parking spaces are slightly reduced for the fourth phase of the school and daycare facility. Staff is primarily concerned with the location of the proposed daycare facility and private school (K through 8) and their proximity to Sawyer Middle School. Sawyer Middle School, per the Clark County School District, currently has an enrollment of 1,184 students with capacity for an additional 252 students (1,436 students total). An estimated

enrollment of 1,000 students (250 daycare and 750 K through 8) is anticipated for the daycare facility and private school at the completion of Phase 4 in August 2026. Staff is concerned the additional traffic generated by the daycare facility and school will potentially impact the adjacent local streets, Diablo Drive and Redwood Street, in addition to impacting the existing vehicular traffic generated by Sawyer Middle School. Staff finds the proposed uses are not appropriate at this location and may conflict with the vehicular traffic generated by the existing middle school. Therefore, staff recommends denial of these requests.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waivers of Development Standards #1 & #2

The increase to the height of the classroom building (Building B) to a maximum of 42 feet is minimal and should not impact the adjacent single family residential development to the west. Furthermore, the reduced height/setback ratio for the classroom building (Building B) should also have minimal impact on the single family residences to the west. However, since staff is not supporting the use permits and design reviews, staff cannot support these requests.

Waivers of Development Standards #3 & #4

Staff does not object to the alternative landscaping provided along the west property line adjacent to the existing residential uses and the alternative street landscaping along Redwood Street. The applicant will maintain the existing 10 foot wide landscape area along the west property line; however, will substitute an alternative species of tree in lieu of a 24-inch box large evergreen tree due to the existing overhead NV Energy easement. The tree quantity and spacing within the landscape area is equivalent to the number of trees required within the intense landscape buffer, per Figure 30.64-11. Staff finds the proposed landscape area along the stacking/queuing lanes adjacent to Redwood Street is adequate. The request to reduce parking lot landscaping is essentially based on a pre-existing condition. The existing covered parking along the west side of the project site includes landscape finger islands every 15 parking spaces, where 1 island must be provided every 12 parking spaces per Code. Landscape finger islands will be provided within the new parking areas associated with the phased development. Furthermore, in the event a landscape finger island cannot be provided with the future development, a waiver is requested. Staff does not have an objection to this request as the reduction to parking lot landscaping is minimal. However, since staff is not supporting the use permits and design reviews, staff cannot support these requests.

Waiver of Development Standards #6

Staff finds that it would not be practical to provide the required 5 foot wide pedestrian walkway from the adjacent public sidewalk along Redwood Street to the principal building entrances of the school. Providing the required pedestrian walkway would force students to walk across the designated queuing lanes for automobiles and school buses, creating a potential conflict between

students and vehicles. However, since staff is not supporting the use permits and design reviews, staff cannot support this request.

Waiver of Development Standards #7

The request to reduce the required number of parking spaces by 1 space within Phase 4 of the development is negligible. However, since staff is not supporting the use permits, waivers of development standards, and design reviews, staff cannot support this request.

Design Reviews & Waiver of Development Standards #5

The intent of the CMA Design Overlay District is to encourage and promote a high quality level of development that produces a stable environment in harmony with existing and future development and protects the use and enjoyment of neighboring properties. Varying rooflines, contrasting colors and building materials have been utilized to break-up the mass on portions of the buildings. The proposed buildings are complementary to the existing building centrally located within the project site. The proposed buildings comply with the intent of the CMA Overlay District which encourages architectural treatments on all building sides to eliminate blank building elevations along public rights-of-way and areas visible to the general public. However, since staff is not supporting the request in its entirety, staff cannot support the design review and waiver of development standards #5.

Public Works - Development Review

Waiver of Development Standards #9a

Staff has no objection to the reduction in throat depth for the western driveway on Diablo Drive. The driveway will be ingress only and the applicant has provided space for over 70 vehicles to queue on site, reducing the potential for stacking the right-of-way caused by reduced throat depth. However, since Planning cannot support this application in its entirety, staff cannot support this request.

Waiver of Development Standards #9b

Staff can support the reduction in the radius for the eastern driveway on Diablo Drive. The driveway is designed as a 1 way bus only driveway with on-site queuing for up to 6 buses. However, since Planning cannot support this application in its entirety, staff cannot support this request.

Waiver of Development Standards #10

Staff has no objection in the reduction of approach distance for the eastern driveway on Diablo Drive. The driveway will be an ingress only driveway reducing the impact that is caused by the reduction in approach distance. However, since Planning cannot support this application in its entirety, staff cannot support this request.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; the installation and use of cooling systems that consumptively use water will be prohibited; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; that this application must commence within 2 years of approval date or it will expire; and that once commenced, the construction of each phase must be diligently carried on until completion or the application will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Reconstruct any unused driveways with full off-site improvements;
- If a crosswalk and/or flashers are required now or in the future, the applicant or owner shall design and construct the improvements to the satisfaction of the County and at the sole expense of the applicant or owner, with said measures to be completed in a timely manner as determined by Public Works.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0388-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval (include traffic study and compliance at every phase of completion).

APPROVALS:

PROTESTS:

APPLICANT: YESHIVA DAY SCHOOL

CONTACT: ETHOS | THREE ARCHITECTURE, 8985 S. EASTERN AVE, SUITE 220, LAS VEGAS, NV 89123