

01/18/22 PC AGENDA SHEET

SCHOOL
(TITLE 30)

MOJAVE RD/EMERSON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-21-0686-CENTRO EVANGELISTICO PALABRA:

USE PERMIT for a school on a portion of a previously approved place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce parking; and **2)** driveway geometrics.

DESIGN REVIEW for a school in conjunction with a place of worship on 4.2 acres in an R-1 (Single Family Residential) Zone.

Generally located on the west side of Mojave Road and the north side Emerson Avenue within Paradise. TS/sd/jo (For possible action)

RELATED INFORMATION:

APN:

162-13-503-012; 162-13-503-014 through 162-13-503-015

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 226 spaces where 289 spaces are required per Table 30.60-1 (a 21.8% reduction).
2.
 - a. Reduce the approach distance on Mojave Road to 76 feet where 150 feet is required per Uniform Standard Drawing 222.1 (a 49% reduction).
 - b. Reduce the departure distance on Emerson Avenue to 110 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 42% reduction).
 - c. Reduce the throat depth (Emerson Avenue) to 29 feet where 75 feet is required per Uniform Standard Drawing 222.1.
 - d. Reduce the throat depth (Sego Drive) to 21 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 70% reduction).
 - e. Reduce the throat depth (Mojave Road) to 24 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 66% reduction).
 - f. Reduce the driveway width on Sego Drive to 24 feet where 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
 - g. Reduce the driveway width on Emerson Avenue to 24 feet where 32 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
 - h. Allow existing pan driveways where curb return driveways are required per Uniform Standard Drawing 222.1.

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3415 S. Mojave Road
- Site Acreage: 4.2
- Project Type: School
- Number of Stories: 1
- Square Feet: 38,198 (school)/15,469 (existing church)
- Parking Required/Provided: 63 (school)/289 (complex)/226 (provided)

Site Plans

The plans depict an existing place of worship currently located in the northeast corner of the property. Most of the parking for this site is located toward the southern portion of the property with some parking spaces shown along the west side of the site. An existing playground was previously approved and will be used by the school and is centrally located in the southern portion of the property. Access to the property is from Emerson Avenue, Mojave Road, and Segó Drive. The plans depict a student drop-off circulation plan from Emerson Avenue allowing for queuing of up to 64 vehicles. No access is shown on the plans from Segó Drive and Mojave Road.

The capacity of the proposed school is for 350 students with school hours from 7:00 a.m. to 4:00 p.m. weekdays with occasional after school programs or nighttime activities. The proposed school is planned as a temporary use of no more than 4 years as a public charter school while a permanent site is located. Currently, the site is operating as a place of worship and will continue with this use on Sundays.

A previously approved use permit (UC-0252-87) was for the place of worship with a sanctuary, offices, classrooms, nursery, and multi-purpose room and included with the use permit request was a variance to reduce parking to 230 spaces and later reduced to 226 spaces by WS-0046-15.

Landscaping

Landscaping is shown throughout portions of the site from previous applications. Currently, there is little to no landscaping along the western property line which is adjacent to single family homes. Existing landscaping shown along perimeter of the property includes Pine, Elm, Palms, Pistache and Sumac. Groundcover and shrubs are existing as shown on the plans. No additional landscaping is proposed by the applicant.

Elevations

The plans depict an existing building currently utilized as a place of worship. Total height is 30 feet, and no proposed changes are depicted on the application. The exterior of the building consists of concrete and brick with architectural enhancements along all sides.

Floor Plans

The plans depict a floor plan with offices, classrooms, cafeteria, multi-purpose rooms, sanctuary, restrooms, music room, lobby area, and courtyard. From the plans certain sections are only utilized for the charter school, church use and those that will service dual uses.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states that the existing church sanctuary, and a few rooms will be utilized by the Church on Sunday, whereas the rest of the existing building, classrooms, administrative offices, and multi-purpose room will be used by the charter school. The school capacity is 350 students with school hours from approximately 7:00 a.m. to 4:00 p.m. on weekdays. Site access during drop-off and pick-up times will be from a single access at the southwest curb-cut off Emerson Avenue, circulating around the site in a clockwise motion until they reach the appropriate student drop-off/pick-up loading zone. Exit will be at the southeast curb cut on Emerson Avenue. The curb-cut on Mojave Road will be restricted during drop-off and pick-up periods.

This site is a prime location for an educational facility. The schools in this area are over capacity, and a new school will help alleviate current overcrowding. The proximity of the site to residential neighborhoods is an advantage, and the proposed use is compatible with adjacent uses in terms of scale and site design and does not pose any significant adverse impacts to surrounding properties. Any significant adverse traffic impacts resulting from school generated traffic will be mitigated to the maximum practical extent.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0046-15	Waiver of development standards and design review for playground equipment	Approved by PC	March 2015
ZC-0574-00	Reclassified site from R-1 to C-1 zoning with a use permit for animation and recording studio	Approved by BCC	March 2000
UC-0252-87	Addition of 36,300 square feet to an existing 9,300 square foot church; variance to reduce parking	Approved by PC	October 1987

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use (up to 5 du/ac)	R-1	Single family residential
East	Compact Neighborhood (up to 18 du/ac)	R-3	Multi-family residential
West & South	Mid-Intensity Suburban Residential (up to 8 du/ac)	R-1	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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.

Staff finds that a proposed school is appropriate at this location. Staff's primary concern with this type of use is to ensure compatibility with existing and planned surrounding land uses and that there is adequate on-site parking. Staff does not anticipate any adverse impacts from the proposed school and finds that the use is compatible with existing development in the surrounding area. However, since staff is not supporting the waivers of development standards, staff cannot support the use permit.

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.

Waiver of Development Standards #1

Staff finds the request could have an adverse impact on the adjacent neighborhood. Many high school students have their own cars and could drive to school, staff finds that not providing the required parking spaces on-site could cause overflow issues with parking occurring on the surrounding streets. This proposal could materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood, and will be materially detrimental to the public welfare. Staff cannot support this request.

Design Review

The applicant is not proposing any changes to the site or plan for any additions to the existing building. The existing place of worship already incorporates varied architectural elements and building heights which helps break-up the massing of the building. However, since staff is not supporting the use permit or waivers of development standards, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #2a & #2b

Staff cannot support the reduction of the departure or the approach distance for the Mojave Road and Emerson Avenue commercial driveways. It is expected that on street queuing on Emerson Avenue as parents and staff exit the driveways and residents on the east side of Mojave Road attempt to access Emerson Avenue creating the probability of travel lanes being blocked and causing drivers to stop or slow more abruptly to attempt to avoid collisions because of the reductions.

Waiver of development Standards #2c, #2d, & #2e

Staff finds the request to reduce the throat depths for the Emerson Avenue, Sego Drive, and Mojave Road commercial driveways, with the expected traffic increase due to the school, vehicles will not have enough room to exit the right-of-way causing stacking in the street that could lead to collisions. Therefore, staff cannot support the requests.

Waiver of Development Standards #2f, #2g, & #2h

The reduction in the throat depth and driveway width, combined with allowing the existing commercial pan driveways, further reduces the safety of vehicles entering and exiting the site. Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the site while narrower driveways will result in more vehicles stopping in the right-of-way while drivers attempt to negotiate the tight turns that will be required. Therefore, staff cannot support the requests.

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:

- 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; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Traffic study and compliance;
- Vacate any unnecessary easements.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Paradise - approval (until August 2023 to review as a public hearing).

APPROVALS:

PROTESTS:

APPLICANT: XL CHARTER DEVELOPMENT

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