

07/03/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-24-0209-CHARTER FACILITY SUPPORT FOUNDATION, LLC:

USE PERMIT for a school.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate parking lot landscaping; **2)** increase retaining wall height; and **3)** reduce throat depth.

DESIGN REVIEW for the expansion of an existing charter school on 11.4 acres in an IP (Industrial Park) Zone.

Generally located on the south side of Patrick Lane and the east side of Jim Rogers Way within Spring Valley. MN/sd/ng (For possible action)

RELATED INFORMATION:

APN:

163-33-301-006; 163-33-301-017

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate parking lot landscaping where landscape islands are provided every 6 spaces and at the end of each row is required per Section 30.04.01.
2. Increase retaining wall height to 8 feet where a maximum of 3 feet is allowed per Section 30.04.03 (a 167% increase).
3. Reduce the minimum throat depth to 25 feet, 6 inches where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 66% reduction).

LAND USE PLAN:

SPRING VALLEY - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 8377 W. Patrick Lane
- Site Acreage: 11.4
- Project Type: Expansion of an existing school
- Building Height (feet): 30 (Buildings A & B)/40 (field light poles)/35 (existing school)
- Square Feet: 23,508 (Building A)/4,720 (Building B)/130,035 (existing school building)
- Parking Required/Provided: 242/248
- Sustainability Required/Provided: 7/8

Site Plan

The western parcel was previously approved via UC-0752-13 for a charter school, which was constructed in 2015. The site was designed to encompass the school building in the center of the parcel with parking spaces and a drop-off/pick-up lane along the east, south, and a portion of the west property lines. The playgrounds and open space areas are constructed on the south side of the school building.

The expansion to the east (APN 163-33-301-006) will create space for the existing students and faculty by providing additional classrooms (Building A), a new sports field with concessions located on the eastern parcel, a new operations facility (Building B) for the delivery and storage of supplies, and a new layout and circulation pattern for vehicular queuing for student drop-off/pick-up. Access to the school is via driveways along Patrick Lane, Jim Rogers Way, and Sobb Avenue. Along the south and east sides of the expansion parcel (eastern parcel), there will be additional vehicular queuing for student drop-off/pick-up. There are 248 parking spaces provided where 242 parking spaces are required. A skywalk is proposed to connect the existing building with the proposed Building B for the safety of students and staff.

The proposed changes and additions will increase office spaces from 4,000 square feet to 8,648 square feet, high school classrooms from 12 to 26 and a reduction of elementary classrooms from 40 to 39. Additionally, there will be approximately 2,324 additional square feet of renovations within the building envelope in the existing building to create more multi-purpose areas for the existing student body.

Landscaping

The existing school and related facilities on the western parcel includes detached sidewalks along Patrick Lane with a variety of 24 inch box trees spaced 22 feet on center and a variety of shrubs and decorative rock. The proposed expansion to the east (APN 163-33-301-006) includes perimeter landscaping with detached sidewalk along Sobb Avenue and Patrick Lane. Interior landscaping is shown throughout the site and along the perimeter of parking lots, however, landscape islands every 6 spaces are not provided. Additionally, several existing landscape islands will be removed, with those trees being replanted along the perimeter of the properties. Landscaping includes large and medium trees and shrubs from the Southern Nevada Water Authority Regional Plant List.

Elevations

The plans depict 2 new buildings for the school labeled Building A used for classrooms while Building B will be used for operations. Building A will be 30 feet to the top of the building and will have a flat roofline and includes exterior finishes of light and dark brown CMU walls, with white awnings, and light gray metal awnings. Building B will be 30 feet high with colored split-face CMU with white coated metal, low-e glass, and painted metal and steel. There is a proposed skywalk for pedestrian access from Building B to the existing school building.

Floor Plans

The plans of the new school building Building A include classrooms, storage rooms, weight room, restrooms, mechanical room, IT room, breezeway, mechanical and offices and a concessions booth/room. The proposed new facility for Building A will be 23,508 square feet

between 2 levels with the bottom level having storage rooms, utility room and offices. The upper level will have a theater. Building B will be 4,720 square feet 2 levels with lower level having utility room, offices, storage, restrooms, breezeway while the upper level will be used primarily for storage.

Applicant’s Justification

The applicant states the proposed expansion and buildings will be compliant with all Title 30 horizontal and vertical elements with 4 sided architecture. The new school facilities will consist of the same building materials as the existing buildings creating a cohesive campus, including but not limited to a new sports field and track with LED field lighting, athletic facilities, an operations building (Building B), concession stands, restroom facilities, a performing art building with a theater.

To improve the circulation and queuing on the overall site, reduced landscaping is requested to relocate existing and required landscaping from the required landscape islands to the perimeter landscaping. This impacts 2 areas on APN 163-33-301-017 where 6 landscape island trees will be relocated to the south and west parking lots, and on the east parking lot where 7 trees will be relocated. Due to the natural elevation difference on the site, the applicant is requesting an additional 5 feet of retaining wall along the east property line.

Prior Land Use Requests for APN: 163-33-301-006 (eastern parcel)

Application Number	Request	Action	Date
VS-24-0141	Vacated and abandoned portion of right-of-way	Approved by PC	June 2024
DR-20-0343	Increased finished grade - expired	Approved by BCC	October 2020
UC-20-0084	Expansion of existing school and design review for new classroom buildings and school amenities (soccer field, carpool lanes, lighting plan, and playground shade structures) - expired	Approved by BCC	April 2020
VS-19-0245	Vacated and abandoned of patent easements	Approved by PC	May 2019
DR-0838-16	Wall signage in conjunction with an existing school (American Preparatory Academy)	Approved by BCC	January 2017
DR-0830-15	Wall signage for an existing school	Denied by BCC	March 2016

Prior Land Use Requests for APN: 163-33-301-017 (western parcel)

Application Number	Request	Action	Date
VS-24-0141	Vacated and abandoned portion of right-of-way	Approved by PC	June 2024
DR-20-0343	Increased finished grade - expired	Approved by BCC	October 2020

Prior Land Use Requests for APN: 163-33-301-017 (western parcel)

Application Number	Request	Action	Date
UC-20-0084	Expansion of existing school and design review for new classroom buildings and school amenities (soccer field, carpool lanes, lighting plan, and playground shade structures) - expired	Approved by BCC	April 2020
VS-19-0245	Vacated and abandoned patent easements	Approved by PC	May 2019
ZC-0225-15	Reclassified 5 acres from R-E to M-D zoning	Approved by BCC	June 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & RS20	Single-family residential & undeveloped
South, East, & West	Business Employment	IP	Undeveloped

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Adding school amenities with improved on-site circulation should not pose any negative impacts to the neighborhood. The proposed school facilities are imperative to the functionality and curriculum of the school, therefore, staff recommends approval of this request.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff finds that a redesign of the parking lot can be done to accommodate parking lot landscaping for a minimum of every 6 spaces or every 12 spaces where a landscape planting strip is no less than 8 feet in width. Staff generally does not support elimination of parking lot landscaping because landscaping helps to combat the urban heat island effect; therefore, staff recommends denial.

Waiver of Development Standards #2

The applicant has stated the proposed waiver request to increase the retaining wall height to 8 feet is in part the result of the existing elevation and natural topography of the parcel. Staff finds that terracing the retaining wall and adding landscaping would eliminate the need for this waiver; therefore, staff cannot support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The proposed buildings with classrooms and associated amenities, including associated school recreational amenities are a common feature for schools and the proposed exterior design incorporates enhanced elements that match the existing school buildings and complies with architectural standards set forth in the Code. However, since staff is recommending denial of the waivers of development standards, staff cannot support the proposed design.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the eastern commercial driveway on Sobb Avenue. Sobb Avenue is in the process of being vacated, making Sobb Avenue a drive aisle, therefore, increasing the throat depth once vacated. However, since Planning cannot support the application in its entirety, staff cannot support this request.

Staff Recommendation

Approval of the use permit; denial of the waivers of development standards, and the design review.

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:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet for Patrick Lane to the back of curb, 25 feet for Sobb Avenue to the back of curb;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Patrick Lane improvement project;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- Coordinate with adjacent parcel for the vacation of Sobb Avenue;
- If the adjacent parcel does not vacate Sobb Avenue, applicant will be responsible for the vacation of Sobb Avenue.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

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 #0226-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KEVIN REISCH

CONTACT: KEVIN REISCH, ARK STUDIO, 1771 E. FLAMINGO ROAD, SUITE 218-B,
LAS VEGAS, NV 89119