

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-26-0165-WHITING VEGAS:**

**HOLDOVER USE PERMIT** for a school.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce buffering and screening; **2)** modify residential adjacency standards; and **3)** reduce driveway throat depth.

**DESIGN REVIEW** for a proposed school on 6.26 acres in an IL (Industrial Light) Zone.

Generally located north of Vegas Valley Drive and east of Tree Line Drive within Sunrise Manor. TS/lm/kh (For possible action)

---

RELATED INFORMATION:

**APN:**

161-10-602-004

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Eliminate the required 8 foot tall decorative wall along the north property line where required per Section 30.04.02C.
  - b. Eliminate the required 8 foot tall decorative wall along the east property line where required per Section 30.04.02C.
  - c. Eliminate the required landscaping along a portion of the east property line where a double row of evergreen trees, each row planted offset from one another, with trees 20 feet on center in each row, is required per Section 30.04.02C.
2.
  - a. Allow higher-activity areas of development (circulation) along the north property line adjacent to residential development where not allowed per Section 30.04.06G.
  - b. Allow higher-activity areas of development (circulation) along the east property line adjacent to residential development where not allowed per Section 30.04.06G.
  - c. Allow loading areas 46 feet from adjacent residential development along the north property line where a minimum of 50 feet is required per Section 30.04.06N (an 8% reduction).
3. Reduce the driveway throat depth along Tree Line Drive to 6.5 feet where 75 feet is required per Uniform Standard Drawing 222.1 (a 92% reduction).

**LAND USE PLAN:**

SUNRISE MANOR - BUSINESS EMPLOYMENT

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6418 Vegas Valley Drive
- Site Acreage: 6.26
- Project Type: School
- Building Height (feet): 35
- Square Feet: 58,169
- Parking Required/Provided: 51/59 (including 5 ADA and 2 EV-installed spaces)
- Sustainability Required/Provided: 7/6.5

### Site Plan

The plan depicts a proposed school with access from Tree Line Drive. The school building is centrally located on the site, with parking situated on the north side of the building and the main playground and sports fields located on the south side of the building. Pick-up and drop-off/fire lanes are accessed from the northern driveway along Tree Line Drive and circulate around the perimeter of the property. The designated drop-off area is located on the west side of the building, with vehicles exiting through the southern driveway. The loading area is located 46 feet from the east property line and 89 feet from the north property line. The trash enclosure is located 76 feet from the east property line and 107 feet from the north property line. A 6 foot tall chain-link fence separates the playground areas from the drive aisles and internal walkways.

### Landscaping

The plan shows proposed street landscaping along both Tree Line Drive and Vegas Valley Drive. Along Tree Line Drive, landscaping consists of 2 landscape strips on either side of the detached sidewalk located south of the southern driveway, featuring large and medium trees and shrubs. Between the north and south driveways, the landscape area between the back of curb and the sidewalk is not provided due to the right-turn lane. Along Vegas Valley Drive, street landscaping is provided on both sides of the detached sidewalk. Within the southern landscape strip, a 30 foot wide drainage easement containing rip-rap lying behind the sidewalk prevents the applicant from planting trees in that area. Additionally, a wall separates the drainage easement from the circulation/fire lanes. Parking lot landscaping is provided per Code standards. The 15 foot wide landscape buffers located along the north and east property lines consist of 2 rows of evergreen trees planted 20 feet apart in each row. The required 8 foot tall decorative buffer walls along the north and east property lines are proposed to be waived, because there are existing retaining walls with screen walls on top on the adjacent residential properties. Due to the proposed finished grade increase on the subject site, the combined exposed height of the existing retaining wall and the screen wall is 7 feet along the north property line and 8 feet along the east property line, measuring from the subject site.

### Floor Plans & Elevations

The plan notes a proposed school building with a gross floor area of 58,169 with the main entrance located on the north side of the building.

The proposed school building has an overall height of 35 feet. The design incorporates painted exterior plaster system finish, painted metal sunshades, windows and doors include storefront systems, low E glazing, and mechanical units are screened by parapets.

### Applicant's Justification

The applicant states that the proposed school is appropriate for the area due to its proximity to surrounding neighborhoods. The public, tuition-free charter school will serve up to 1,000 students from Pre-Kindergarten through middle school, providing an additional educational option for local residents. The site design places outdoor play areas along the street frontages and away from adjacent homes to reduce neighborhood impacts. The pick-up and drop-off lanes can accommodate a total of 148 vehicles within the on-site queuing area. School hours will be Monday through Friday, with two staggered start times to help distribute traffic and account for nearby school schedules. Final start times will be determined based on the results of the traffic study. In addition, up to two school buses will serve the campus to further reduce traffic demand.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-23-0848	Vacate and abandon a portion of Tree Line Drive and Vegas Valley Drive	Approved by BCC	February 2024
WS-23-0847	Waiver of development standards and design review for modifications to an approved mini-warehouse facility - expired	Approved by BCC	February 2024
WS-22-0156	Waiver of development standards and design review for a mini-warehouse facility - expired	Approved by PC	June 2022
UC-1284-97	Use permit for a 50 foot high cellular tower - expired	Approved by PC	September 1997
ZC-1080-97	Zone change from M-1 to M-2 zoning - expired	Approved by BCC	September 1997

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & East	Business Employment	RS3.3	Single-family residential
South	Compact Neighborhood (up to 18 du/ac)	RM18	Multi-family residential
West	Business Employment	IH & IL	NV Energy facility

### **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.

The use of the site for a school is compatible with the surrounding area and is appropriate in terms of location. The site will also maintain sufficient parking for the school use in accordance with the requirements of Title 30. For these reasons staff can support this use.

#### 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 #1a

The buffer wall is required to minimize the visual and noise impacts of the proposed development on the existing residential neighborhood to the north. The existing retaining and screen walls along this property line was originally constructed because the site sits at a lower elevation than the adjacent two-story homes. The combined retaining and screen wall height would only be 7.3 feet, which staff finds insufficient to mitigate the impacts to the residential properties to the north. Therefore, staff cannot support this request.

#### Waiver of Development Standards #1b & 1c

The proposed design increases site fill, resulting in a combined height of the retaining wall and the existing 6 foot screen wall totaling 8 feet along the east property line, which meets the intent of the Code and provides sufficient screening to the residential properties on the east side of the site. Additionally, the portion of the landscape buffer being eliminated will not impact the adjacent properties because the area functions as a continuation of the drainage easement. Therefore, staff can support this request.

#### Waiver of Development Standards #2

The intent of residential adjacency standards is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when higher-intensity development is located adjacent to residential zoning districts. Staff is concerned about the location of the proposed circulation lanes along the north and east property lines, which may have a negative impact on the adjacent residential properties. Additionally, the intent of limiting loading spaces within 50 feet of residential zoning districts, especially when not separated by a building or otherwise appropriately buffered with the required buffering and screening requirements, is to limit the impact loading and unloading activities may have on adjacent single-family residences. Also, the loading spaces could be redesigned to move those spaces farther away from the shared property lines. 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 applicant indicates that the school will accommodate a maximum of 1,000 students at full occupancy. The outdoor sports fields and play areas will provide needed recreational areas for the students while still meeting the parking requirements of the site. The building elevations will not be unsightly or undesirable. The plan requires all drop-off and pick-up traffic to enter and exit from Tree Line Drive to lessen the impact on Vegas Valley Drive. Additionally, while street landscaping is provided on one side of the detached sidewalk along Vegas Valley Drive, the location of the existing drainage easement limits planting on the opposite side. Nevertheless, the overall required number of trees is met, and staff can support this portion of the landscape design. However, staff is concerned about the location of the loading spaces and the site circulation lanes, which greatly impact the site design. Staff recommends denial of the design review request.

### **Public Works - Development Review**

#### Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the southern commercial driveway on Tree Line Drive. The reduction will not impact vehicles in the right-of-way as the commercial driveway is egress only.

### **Staff Recommendation**

Approval of the use permit, waivers of development standards #1b, #1c, & #3; denial of waivers of development standards #1a, #2, 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;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Vegas Valley Drive improvement project;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

**Fire Prevention Bureau**

- No comment.

**Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised to contact the SNHD Environmental Health Division at [septics@snhd.org](mailto: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 a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0483-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Sunrise Manor - approval of the use permit, waivers of development standards #1c, #2a, #2b, and #3, and the design review.

**APPROVALS:** 1 card

**PROTESTS:** 12 cards, 3 letters

**COUNTY COMMISSION ACTION:** May 6, 2026 – HELD – To 05/20/26 – per the applicant.

**APPLICANT:** XL CHARTER DEVELOPMENT, LLC

**CONTACT:** MARISSA FEHRMAN, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135