

03/19/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-25-400008 (UC-22-0426)-DHARAM & VIJAY PAL TRUST:

USE PERMIT SECOND APPLICATION FOR REVIEW for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a CG (General Commercial) Zone and a CP (Office and Professional) Zone.

Generally located on the west side of Eastern Avenue and the north side of Ford Avenue within Paradise. MN/nai/kh (For possible action)

RELATED INFORMATION:

APN:

177-14-710-003; 177-14-710-008; 177-14-710-012; 177-14-710-014; 177-14-710-018; 177-14-710-025; 177-14-710-027; 177-14-710-028; 177-14-710-030; 177-14-710-035; 177-14-710-036; 177-14-710-039; 177-14-710-040; 177-14-710-042 through 177-14-710-047; 177-14-710-049 through 177-14-710-053

LAND USE PLAN:

WINCHESTER/PARADISE - CORRIDOR MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 8645 S. Eastern Avenue
- Site Acreage: 0.8
- Project Type: School
- Number of Stories: 2
- Building Height (feet): 30
- Square Feet: 30,000
- Parking Required/Provided: 802/807

History & Request & Site Plan

The original use permit for the school was approved in September 2022 by the Board of County Commission (UC-22-0426). A condition of approval required a review as a public hearing by June 21, 2023. Therefore, the applicant applied for an application review via AR-23-400050 which required another review by June 21, 2024 in order to give the applicant sufficient time to obtain a business license and legally commence the use. However, the applicant did not obtain a business license, nor submitted the required second application for review on time.

The applicant received permission from the Zoning Administrator to submit an administrative extension of time. This would allow the applicant to obtain a business license and legally commence. The administrative extension of time (ADET-25-900105) was later filed and approved in March 2025; however, to date no business license has been obtained for the school. This request is for the second application for review required by the previously approved land use application.

Given the location of the subject site being 464 feet from the city limits of the City of Henderson, the original application was considered a project of regional significance. The previous approved plans depict a 200,330 square foot existing office and retail shopping center consisting of 19 buildings spread across 17.5 acres. Access to the center is through 1 driveway along Ford Avenue, 3 driveways along Eastern Avenue, and 3 driveways along Wigwam Avenue. Parking is shown throughout the site with parking stalls surrounding most of the buildings and is also provided in a central lot towards the middle of the center. The school is located in the southwestern portion of the center in the south half of the building labeled “2 story Office G.”

The approved plans also indicate the flow of traffic for the drop-off of students with traffic flowing in a south to north direction through the retail center. The plans show that drop-off traffic will enter the center from the driveway on Ford Avenue, then proceed west and then north along the existing drive aisles before then going west then north again to reach a drive aisle that runs behind the set of buildings along the western extent of the center. Children are dropped off at the back of the building and traffic continues north along this back drive aisle before exiting onto Wigwam Avenue using the western most drive aisle.

Landscaping

Per approved plans, existing landscaping remained unchanged with street landscaping located along Wigwam Avenue and Eastern Avenue. Landscaping has also been provided along the western property line that is adjacent to the existing residential development and along the base of the buildings and through parking lot fingers and islands.

Elevations

The approved plans show the subject location of the school is a 2 story office building that includes painted stucco walls with portions of the wall projecting outwards creating archways. Foam cornice treatments are provided along the top of parapet walls along the roofline. Triple frame office windows are provided throughout, and a typical retail double door system is also provided at the entrance. No changes to the exterior were proposed with the original application.

Floor Plans

The approved plans depict the suite that is utilized for the school is a total of 30,000 square feet split between 2 floors. The total space dedicated to classrooms, which are located on both floors, is approximately 14,000 square feet with the remaining 16,000 square feet being dedicated to offices, conference rooms, restrooms, nurse’s office, breakroom, and utility and building support rooms.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ADET-25-900105 (UC-22-0426):

Current Planning

- Until June 21, 2025 to commence.
- Applicant is advised that the application must commence by the stated date 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.

Listed below are the approved conditions for AR-23-400050 (UC-22-0426):

Comprehensive Planning

- Until June 21, 2024 to review as a public hearing.
- Applicant is advised that obtaining a business license is required for this site; 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; and that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review.

Listed below are the approved conditions for UC-22-0426:

Current Planning

- Until June 21, 2023 to review as a public hearing;
- The Blended Program Policy document submitted to the Board shall be adhered to;
- No barricades on-site for queuing and employees shall be on-site to direct traffic;
- The Nevada Virtual Academy is operating under a provisional approval from Clark County and if the applicant does not abide by the traffic circulation plan on file, revocation proceedings per Title 30.04.160 can be initiated.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extension of time, will be reviewed for conformance with the regulation in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extensions of time and application for review; the extension of time may be denial if the project had not commenced or there has been no substantial work toward completion within the time specified; and that this application must commence within 2 years of approval date or it will be expire.

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.

Applicant's Justification

The original use permit for the school was approved in September 2022 by the Board of County Commission (UC-22-0426). Also, the first application for review was approved in June 2023 (AR-23-400050). There was a condition added in the Notice of Final Action for the first application for review that required an additional review of the approved use before June 21, 2024. Now the applicant is applying for a second application for review. The applicant indicates the students participate virtually and only come onsite for orientation and State mandated tests. There have not been any traffic issues.

Prior Land Use Requests

Application Number	Request	Action	Date
ADET-25-900105 (UC-22-0426)	First extension of time for a school in conjunction with an existing office and retail shopping center	Approved by ZA	March 2025
AR-23-400050 (UC-22-0426)	First application for review for a school in conjunction with an existing office and retail shopping center	Approved by BCC	June 2023
UC-22-0426	School in conjunction with an existing office and retail shopping center	Approved by BCC	September 2022
UC-0419-14	Medical cannabis establishment in conjunction with an existing shopping center	Denied by BCC	December 2014
ADR-0772-05	Minor expansion to an existing shopping center	Approved by ZA	July 2005
VS-1564-04	Vacated and abandoned the Jeffrey Street right-of-way between Ford Avenue and Wigwam Avenue	Approved by PC	October 2004
DR-1349-04	Revised plans for an approved shopping center	Approved by BCC	September 2004
DR-0196-04	Restaurant in conjunction with an approved shopping center	Approved by BCC	March 2004
DR-1643-03	Financial services in conjunction with an approved shopping center	Approved by BCC	November 2003
ZC-1326-00 (ET-0164-03)	First extension of time for a zone change that reclassified the site from R-E to C-2 zoning and C-P zoning for a shopping center	Approved by BCC	November 2003
ZC-1326-00 (WC-0341-02)	Waived the conditions of ZC-1326-00 requiring single-story buildings only and no buildings permitted in the C-P zoned portion of the proposed shopping center	Approved by BCC	December 2002

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0467-01	Vacated and abandoned patent and other easements for a shopping center	Approved by PC	June 2001
ZC-1326-00	Reclassified the site from R-E to C-2 zoning and C-P zoning for a shopping center	Approved by BCC	November 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	CP & RS20	Retail & single-family residential
South	Corridor Mixed-Use	CG	Retail nursery
East	City of Henderson; Neighborhood Commercial; & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	CN, C-P, & RS5.2	Retail, office, & single-family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

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**

An administrative extension of time was approved recently in March 2025 to allow the applicant to obtain a business license and legally commence the use. Also, a condition of approval allowed until June 21, 2025 for a review to be filed. To date, no business license has been obtained. The Board of County Commissioners previously was concerned that the proposed pick-up/drop-off plan may cause undue conflicts with the existing traffic patterns on the site. According to aerial photos, there is no evidence of parking shortage, barricades, or on-site queuing. Also, staff is not aware of any complaints from the public about the school. However, without having a business license and commencing the use, there is not enough information to assess the concerns previously raised by the Board. Therefore, staff recommends approval of the request, with a condition of another review as a public hearing to be filed by June 21, 2025 which matches the expiration of the application. That being said, this is the last application for review that staff can support and the expectation is by that time, a business license is obtained and the use is commenced, and therefore, sufficient information is available for staff to assess the queuing and traffic concerns.

Staff Recommendation

Approval.

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

- Until June 21, 2025 to review or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: NEVADA VIRTUAL ACADEMY

CONTACT: LEXA GREEN, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135