

05/17/22 PC AGENDA SHEET

MODULAR BUILDINGS
(TITLE 30)

EMERSON AVE/PACIFIC ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-22-400042 (UC-19-0312)-CHURCH BAPTIST PARADISE BIBLE:

USE PERMIT THIRD EXTENSION OF TIME to waive design standards for accessory modular buildings.

DESIGN REVIEW for modular buildings (classrooms and restrooms) in conjunction with an existing charter school and place of worship on 4.3 acres in an R-1 (Single Family Residential) Zone.

Generally located on the southwest corner of Emerson Avenue and Pacific Street within Paradise. TS/sd/syp (For possible action)

RELATED INFORMATION:

APN:

162-13-201-001

USE PERMIT:

Waive all applicable architectural design standards for accessory modular buildings (classrooms and restrooms) where required per Table 30.56-2.

LAND USE PLAN:

WINCHESTER/PARADISE - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: 2525 Emerson Avenue
- Site Acreage: 4.3
- Project Type: Temporary modular buildings (classrooms & restroom)
- Number of Stories: 1
- Building Height (feet): 10
- Square Feet: 1,440 (classrooms)/480 (restroom)

Site Plans

The approved plans show the addition of 4 temporary modular classroom buildings and 1 temporary restroom facility building. The proposed modular classroom buildings will be set back 15 feet from the east property line with the proposed restroom facility building set back 10 feet. Both the temporary modular classroom buildings and restroom facility building will be used for both girls and boys to meet the increasing student body. There is an existing primary building

towards the north portion of the site that currently consists of a place of worship and classrooms for the charter school. Access to the site is via 2 existing driveways on Pacific Street.

Landscaping

The approved plans show a proposed landscape buffer of trees along Pacific Street to be installed behind the proposed modular buildings to shield both the mechanical equipment and the buildings from adjacent residential uses. The proposed landscaping will include 24 inch box Mondel Pine and Shoestring Acacia trees. There is existing landscaping which includes trees, shrubs, and groundcover around the building on the north property line and in the existing parking lot. The open space areas contain a turf field for sports activities and a sand area for playground equipment. An existing 6 foot high concrete block wall is located along Pacific Street.

Elevations

The approved plans depict a 10 foot high traditional modular building consisting of composite wood siding with hollow metal doors and frosted windows. The proposed buildings will be 1 story, 10 feet in height, consisting of wood siding and will be painted to match the existing building on-site. The existing building is finished with stucco and painted white.

Floor Plans

The approved plans show each modular building being 1,440 square feet and consisting of 4 classrooms and a 480 square foot restroom facility. Each classroom door will have a ramp and landing providing access to the building.

The existing northern building currently houses 7 classrooms, a multi-purpose room, offices, restrooms, and storage rooms on the first floor, with the second floor having 9 classrooms, offices, restrooms, and storage areas.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400017 (UC-19-0312):

Current Planning

- Until August 1, 2021, to complete the building permit and inspection process;
- Until June 1, 2022, to review as a public hearing.
- 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 and application for review; and that 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.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for ET-20-400067 (UC-19-0312):

Current Planning

- January 4, 2021, to complete the building permit and inspection process and 1 year to review as a public hearing;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Public Works - Development Review

Compliance with previous conditions.

Listed below are the approved conditions for UC-19-0312:

Current Planning

- Until June 30, 2020, to commence and review as a public hearing;
- Maximum number of students not to exceed 450 for entire school;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Public Works - Development Review

- Applicant to install school zone signage on Emerson Avenue if approved by Public Works;
- Drainage study and compliance;
- Traffic study and compliance.

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 #0208-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant's Justification

The applicant indicates an extension of time is needed to fulfill the requirements listed on the Notice of Final Action for ET-21-400017 (UC-19-0312). The Notice of Final Action for the previously approved extension of time stated the applicant had until August 2021 to complete the building permit and inspection process and until June 1, 2022, to review as a public hearing. The applicant states that the delays were a result of the Fire Inspector informing the contractor that a fire alarm would be required. A permit was submitted to the Fire Department and was pulled on September 21, 2021, which exceeded the previously approved time limit for August 1, 2021.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400017 (UC-19-0312)	Second extension of time for waived design standards and accessory modular buildings with design review for modular buildings - expired	Approved by PC	April 2021
ET-20-400067 (UC-19-0312)	First extension of time for waived design standards and accessory modular buildings with design review for modular buildings	Approved by PC	August 2020
WC-20-400068 (UC-19-0312)	Waived condition of a use permit limiting the maximum number of students not to exceed 450 for entire school in conjunction with an existing charter school and place of worship	Approved by PC	August 2020
UC-19-0312	Waived design standards for accessory modular buildings with design review for modular buildings	Approved by PC	June 2019
UC-0516-12	Waived design standards and design review for a proposed accessory modular building (portable restrooms) - expired	Approved by PC	November 2012
UC-0116-12	Waived design standards and design review for 4 proposed accessory modular buildings (modular classrooms) - expired	Approved by BCC	June 2012
UC-0280-11	Charter school in conjunction with an existing place of worship	Approved by PC	August 2011
UC-0900-05 (ET-0206-09)	Second extension of time for a place of worship - expired	Approved by PC	September 2009
UC-0900-05 (ET-0205-07)	First extension of time for a place of worship - expired	Approved by PC	August 2007
UC-0900-05	Expansion of existing place of worship and increased height for accessory structure; waived standards to reduce parking; design review for place of worship expansion - expired	Approved by PC	August 2005
UC-208-82	Original place of worship	Approved by BCC	November 1982

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, South, & West	Residential Suburban (up to 8 du/ac)	R-1 & R-2	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

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

The applicant was delayed in meeting some of the requirements listed in the Notice of Final Action for ET-21-400017 (UC-19-0312). The applicant has stated the Building Permits were near completion when they were notified by the Building and Fire Inspector that a fire alarm system was required. As such, the previously approved extension of time application (ET-21-400017) has expired along with related building permits. A review of the history shows the applicant has been working towards completion and inspection. Staff recognizes that there have been past extensions and missed deadlines and this represents a third extension of time request. While staff does not usually support multiple extension of time requests, staff does recognize that the applicant has been working towards completion; therefore, staff has no objections to this request.

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:

Current Planning

- Complete the building permit and inspection process by November 17, 2022;
- Until June 1, 2023 to review as a public hearing.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; 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 and application for review; and that 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.

Public Works - Development Review

- Compliance with previous conditions.
- Applicant is advised that a traffic study must be submitted per the conditions of approval on WC-20-400068 (UC-19-0312).

Fire Prevention Bureau

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: PARADISE CHURCH

CONTACT: NEVADA RISE ACADEMY INC, 225 EMRSON AVE, LAS VEGAS, NV
89121