

SCHOOL  
(TITLE 30)

EASTERN AVE/FORD AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0426-DIAMOND CREEK HOLDINGS LLC SERIES 8:**

**USE PERMIT** for a school in conjunction with an existing office and retail shopping center on 0.8 acres in a C-2 (General Commercial) Zone and a C-P (Office and Professional) Zone.

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

---

**RELATED INFORMATION:**

**APNs:**

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

Site Plans & Request

The applicant is requesting a special use permit to operate a school within an existing retail and office shopping center. Given the location of the subject site being 464 feet from the city limits of the City of Henderson, this application is considered a Project of Regional Significance.

The 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 plans provided 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 will be dropped off at the back of the building and traffic will continue north along this back drive aisle before exiting onto Wigwam Avenue using the western most drive aisle.

### Landscaping

Existing landscaping will remain 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 existing residential development and along the base of the buildings and through parking lot fingers and islands.

### Elevations

The 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 through out and a typical retail double door system is also provided at the entrance. No changes to the exterior are proposed.

### Floor Plans

The suite that will be utilized for the school is a total of 30,000 square feet split between two 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 is not a part of this request.

### Applicant’s Justification

According to the applicant, they are looking to locate a proposed public charter school that will use a blended campus model, where students will be taught on-line by state certified teachers, while students who require additional help or are failing a class can attend in person 1 day a week for additional support. The school is looking to serve both middle and high school level students. Students that attend in person will be assigned to come to the site 1 day a week for 3 hours Tuesday through Thursday with each grade level assigned a particular time. High schoolers would attend between 9:00 a.m. and 12:00 p.m. with middle schoolers attending between 12:30 p.m. and 3:30 p.m. The maximum number of students that would attend at any 1 time would be 100 students. The subject site will accommodate 40 administrative staff during the week along with 6 to 7 teachers Tuesday through Thursday. The applicant further indicates that

the school is compatible with the existing office uses nearby and would not significantly impact the neighboring residential uses. They also state the proposed drop-off/pick-up plan reduces on-site conflicts as this traffic would only occur at certain times and they will utilize an electronic program that will allow students to be dismissed as parents arrive speeding up the process.

### Prior Land Use Requests

Application Number	Request	Action	Date
UC-0419-14	Medical marijuana 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 Jeffery 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 and C-P zoning for a shopping center	Approved by BCC	August 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
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 and C-P zoning for a shopping center	Approved by BCC	November 2000

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Neighborhood Commercial & Low-Intensity Suburban Neighborhood (up to 5 du/ac)	C-P & R-E	Retail and single family residential
South	Corridor Mixed-Use	C-2	Retail nursery
East	City of Henderson; Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	CN, C-P, & R-1	Retail, office, and single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	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**

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.

Overall, the actual use of the site for the proposed school and its administrative functions appears to be a compatible use with the current shopping center as it contains other office uses along with restaurants and retail that would be conducive to such a use. In addition, parking for the site overall appears sufficient, the single family residential uses in the area may benefit with such a school nearby, and the school would be accessed by Eastern Avenue, an arterial street, and Wigwam Avenue, a collector street.

Staff, however, is concerned that the proposed pick-up/drop-off plan may cause undue conflicts with the existing traffic patterns on the site, thereby impacting the other offices and business on the site. Staff is concerned that the south to north trajectory of the plan may lead to stacking that may increase traffic conflicts and block access to surrounding businesses. In addition, the location of the trajectory along the western property line may impact the adjacent single family homes due to an increase in noise and exhaust from passing cars dropping-off and picking-up students. Therefore, as proposed, staff cannot support the use permit.

#### **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**

- No comment.

**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.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** NEVADA VIRTUAL ACADEMY

**CONTACT:** G. C. GARCIA, INC C/O MELISSA EURE, 1055 WHITNEY RANCH DRIVE,  
SUITE 210, LAS VEGAS, NV 89014