08/04/26 PC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WC-26-400059 (UC-23-0529)-MOJAVE SPRINGS REALTY, LLC:

WAIVERS OF CONDITIONS of use permits requiring the following: **1)** traffic study update and compliance; and **2)** coordinate with Public Works for the installation of school zone/pedestrian flashers on Desert Inn Road in conjunction with a school and daycare on 0.64 acres in a CP (Commercial Professional) Zone.

Generally located north of Desert Inn Road and east of Torrey Pines Drive within Spring Valley. JJ/rr/kh (For possible action)

RELATED INFORMATION:

APN:
163-11-805-032

LAND USE PLAN:
SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: 6440 W. Desert Inn Road
- Site Acreage: 0.64
- Project Type: School (elementary) and daycare
- Number of Stories: 1
- Building Height (feet): 15 (Building 1)/16 (Building 2)
- Square Feet: 1,040 (Building 1)/1,390 (Building 2)
- Parking Required/Provided: 10/13

History, Site Plan & Request
In October 2023, UC-23-0529 was approved for use permits and a design review for a school and daycare on the subject property. Waivers of development standards were also approved to eliminate landscaping in the parking lot and adjacent to a less intense use, reduce throat depths for 2 driveways, waive commercial driveway returns, and reduce drive aisle width. The site plan previously submitted indicated 2 existing buildings on the site where the school and day care would be located, 2 existing driveways on Desert Inn Road, and an existing parking lot located along the east and south sides of the buildings. The site plan also indicated 2 existing shade structures and playground areas north of the buildings along with several existing block walls on the site.

In February 2026 the first extension of time was granted until October 3, 2027, which included compliance with the previous conditions for a traffic study update and installation of school zone/pedestrian flashers on Desert Inn Road. The applicant is seeking to allow the daycare use to proceed while they intend on fulfilling the Public Works conditions prior to opening the school at a later date. It should be noted that a use permit is no longer required for a daycare in the CP zone under the new Title 30.

Previous Conditions of Approval

Listed below are the approved conditions for ET-25-400141 (UC-23-0529):

Comprehensive Planning

- Until October 3, 2027 to commence or the application will expire unless extended with approval of an extension of time;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for UC-23-0529:

Comprehensive Planning

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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

- Traffic study update and compliance;
- Coordinate with Public Works for the installation of school zone/pedestrian flashers on Desert Inn Road.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Applicant's Justification

The applicant states that Bless-Ed Day Academy seeks a waiver of conditions from the traffic study and school zone flashers as it pertains to the daycare use on the subject site, for a phased compliance. The applicant states that the daycare operation has completed the applicable licensing and inspection requirements. The request for waivers or phased compliance is to prevent operational delays for the daycare. The daycare will use controlled drop off/pick-up procedures, minimizing traffic impact, and will not rely on uncontrolled street crossings, ensuring child safety. The applicant states that the school flasher appears to require coordination and installation on a timeline that is not fully within their immediate control. The timeline may extend significantly beyond the opening schedule and require the daycare to remain closed until the flasher is completed, creating a substantial hardship.

The applicant requests one or more forms of relief including: 1) phased compliance to allow the daycare operations to begin while coordinating the school flasher process with the appropriate agencies; 2) waive the traffic study as it applies to the daycare or allow phased compliance to allow the daycare operations to begin while the traffic study is addressed; and 3) clarification that the daycare operation may proceed independently from the conditions applied to the school.

Prior Land Use Requests

Application Number	**Request**	**Action**	**Date**
ET-25-400141 (UC-23-0529)	First extension of time of a use permit, waivers of development standards and a design review for a school and daycare	Approved by PC	February 2026
UC-23-0529	Use permit, waivers of development standards, and a design review for a school and daycare	Approved by PC	October 2023
DR-19-0510	Design review for signage for a future school	Approved by BCC	August 2019
ZC-19-0223	Zone change for APN 163-11-805-033 (parcel to the north) from R-E to CRT zoning, with a use permit (including the subject site) and design review for the school and waivers of development standards - expired	Approved by BCC	April 2019
ZC-0204-13	Zone change for APN 163-11-805-032 from R-E to CRT zoning for an office building conversion	Approved by BCC	June 2013
AC-0707-11	Zoning compliance for a 10-bed community residence - expired	Approved by ZA	July 2011
DR-0414-07 (ET-0066-10)	Second extension of time of a design review to commence residential conversion into an office building - expired	Approved by BCC	June 2010

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1863-04 (ET-0049-09)	Second extension of time of a zone change to reclassify 1.1 acres from R-E to CRT zoning for a conversion of an existing single-family residence into an office building - expired	Approved by BCC	April 2009
DR-0414-07 (ET-0050-09)	First extension of time of a design review to commence residential conversion into an office building - expired	Approved by BCC	April 2009
ZC-1863-04 (ADET-0117-09)	Administrative extension of time to reclassify 1.1 acres from R-E to CRT zoning for a conversion of an existing single-family residence into an office building - expired	Approved by ZA	February 2009
DR-0414-07	Design review for office buildings (4 total) - expired	Approved by BCC	August 2007
WS-0796-05	Waiver of development standards for modified landscaping and design review for an office building	Denied by BCC	September 2005
ZC-1863-04	Zone change for 1.1 acres from R-E to CRT zoning for a conversion of an existing single-family residence into an office building - expired	Approved by BCC	November 2004
ZC-0736-96	Zone change from R-E to C-P zoning to convert an existing residence to a professional office with future development	Withdrawn by BCC	July 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	CP	Undeveloped
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS10	Single-family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	CP & RS20 (NPO-RNP)	Office & 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
Public Works - Development Review
Waiver of Conditions
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.

Staff cannot support the request to waive the conditions "Traffic study update and compliance" and "Coordinate with Public Works for the installation of school zone/pedestrian flashers on Desert Inn Road". Desert Inn Road is an arterial street that generates a high volume of traffic. Although the applicant intends to open the daycare first and the school at a future date, it is essential that all conditions are satisfied now to ensure the safety of children, motorists, and individuals accessing the site. Staff may not have the opportunity to enforce those conditions whenever the school use starts.

Staff Recommendation
Denial.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions will no longer fulfill its intended purpose.

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:
- Applicant is advised the application must commence by October 3, 2027 or the application will expire unless extended with approval of an extension of time.

Public Works - Development Review
- Reconstruct driveways as commercial curb return driveways per Uniform Standard Drawings 224 or provide a 5 foot wide concrete sidewalk behind the existing driveways for compliance with the Americans with Disabilities Act (ADA).

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that the property is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC: Spring Valley - denial.
APPROVALS:
PROTEST:

APPLICANT: BLESS-ED DAY ACADEMY
CONTACT: BLESS-ED DAY ACADEMY, 6440 W. DESERT INN RD, LAS VEGAS, NV 89146