UC-19-0358-BSN HOUSE, LLC:

USE PERMIT for a proposed private school (K through 8th grade).

WAIVERS OF DEVELOPMENT STANDARDS for the following:
1. street landscaping;
2. reduce parking lot landscaping;
3. waive the requirement for sidewalks or a buffer around the building footprint;
4. increase height of decorative fence;
5. allow modified street standards; and
6. allow modified driveway design standards.

DESIGN REVIEWS for the following:
1. playground area;
2. shade structure; and
3. modifications to an existing parking lot in conjunction with a proposed private school on 2.0 acres in a C-P (Office and Professional) Zone.

Generally located on the west side of Lindell Road and the north side of Twain Avenue within Spring Valley. JJ/md/ja (For possible action)

RELATED INFORMATION:

APN:
163-13-216-002 through 163-13-216-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Permit alternative street landscaping along a collector street (Lindell Road) where landscaping is required per Figure 30.64-17.
   b. Reduce street landscaping width along a collector street (Twain Avenue) to 11 feet where a minimum of 15 feet is required per Figure 30.64-17 (a 27% reduction).

2. Reduce parking lot landscaping where landscaping per Figure 30.64-14 is required.

3. Waive the requirement to provide a minimum 5 foot wide sidewalk or a minimum 7 foot wide buffer to separate buildings from pavement for a parking aisle or space per Section 30.60.050.

4. a. Permit an existing 6 foot high decorative fence (wrought iron) adjacent to Lindell Road and Twain Avenue where a decorative fence with a maximum height of 3 feet is permitted per Section 30.64.020 (a 100% increase).
   b. Increase the height of a proposed decorative fence (wrought iron) along a portion of Twain Avenue to 6 feet where a maximum height of 3 feet is permitted per Section 30.64.020 (a 100% increase).

5. Reduce the approach distance for an existing commercial driveway on Lindell Road to 95 feet where a distance of 150 feet is required to Twain Avenue per Uniform Standard Drawing 222.1 (a 37% reduction).
6. Reduce throat depth for an existing commercial driveway on Lindell Road to 15 feet where a minimum of 25 feet is the standard per Uniform Standard Drawing 222.1 (a 40% reduction).

LAND USE PLAN:
SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:
Project Description
General Summary
- Site Address: 3665 through 3695 Lindell Road
- Site Acreage: 2
- Project Type: Private school
- Number of Stories: 1
- Building Height (feet): 21 (classroom buildings)/16 (shade structure)
- Square Feet: 5,800 (classroom buildings 1 and 4)/5,850 (classroom buildings 2 and 3)
- Parking Required/Provided: 34/48

Site Plan & Request
In April of 2017, a private school (K through 8th grade) was approved via UC-0163-17 by the Planning Commission for APN 163-13-216-005. The previous use permit consisted of 1 classroom building with a design review for a decorative fence (wrought iron) located adjacent to Lindell Road and Twain Avenue. The applicant is now requesting to convert the 4 existing office buildings within the complex to a private school (K through 8th grade). Modifications to the design of the existing parking are necessary to accommodate the vehicular circulation and parking requirements necessary for the school. ZC-0922-97 was approved by the Board of County Commissioners (BCC) in December 1997, requiring a design review as a public hearing for any significant changes on the plans. Due to the proposed site modifications and change of use, this application is required to be reviewed by the BCC.

The plans depict a 4 building office complex and parking lot located on a 2 acre site that will be converted into a private school. Classroom buildings 1 and 4 consist of 5,800 square feet and classroom buildings 2 and 3 consist of 5,850 square feet. Classroom building 2, located at the northwest corner of the site, is set back 58 feet from the west property line adjacent to the existing single family residential development. Classroom buildings 2 and 3 are set back 7 feet from the north property line, adjacent to the existing office complex. Classroom building 1, located at the southeast corner of the site, is set back 15 feet from the east and south property lines adjacent to Lindell Road and Twain Avenue, respectively. Classroom building 4, located at the southwest corner of the site, is set back 59 feet from the west property line adjacent to the existing single family residential development. An existing 5 foot wide sidewalk is located adjacent to Lindell Road and Twain Avenue. Existing and proposed 5 foot wide pedestrian walkways internal to the site connect to the existing sidewalks along the streets. A portion of the existing sidewalk, adjacent to the northern portion of classroom building 1, will be reduced to 4.5 feet to accommodate the required depth of the handicap accessible parking spaces. Bicycle spaces are provided at the northwest corner of classroom building 1. The required trash
enclosure is centrally located within the site and is set back 130 feet from the west property line. The modifications to the parking lot include replacing the existing row of parking spaces along the west property line with a playground area consisting of 13,279 square feet. A 5 foot wide pedestrian walkway will be constructed between the playground area and the new parking spaces. A shade structure, consisting of 1,435 square feet, is located at the northwest corner of the playground area and is set back a minimum of 15 feet from the west property line. Access to the site is granted via an existing commercial driveway along Lindell Road. An access gate to the school is set back 30 feet from the property line, adjacent to Lindell Road, and will remain open during business hours. An existing 6 foot wide decorative wrought iron fence is located along the north, east and south property lines of the site. The existing commercial driveway along Twain Avenue will be removed and replaced with a landscape area and a continuation of the 6 foot high wrought iron fence. The proposed school requires 34 parking spaces where 48 parking spaces are provided. The school has a current enrollment of 35 students with a ratio of 1 teacher per every 10 students.

**Landscaping**
The plans depict a 15 foot wide landscape area located behind an existing 5 foot wide attached sidewalk along Lindell Road. Four existing trees, with shrubs and groundcover, are located within the landscape area. A landscape area ranging between 11 feet to 15 feet is located behind an existing 5 foot wide attached sidewalk along Twain Avenue. Seven existing and proposed trees, with shrubs and groundcover, are located within the landscape area. A 10 foot wide landscape buffer is located along the west property line, adjacent to the existing single family residential development. Twenty-four inch box, large evergreen trees are planted 20 feet on center within the landscape buffer, with any deceased trees to be replaced with new evergreens. Parking lot landscaping is provided throughout the site, consisting of large and small trees.

**Elevations**
The photographs submitted depict 4 existing, 21 foot high buildings with combined flat and pitched roofs consisting of concrete tile. The exterior of the buildings are stucco with an aluminum storefront window system. The buildings are painted with neutral, earth tone colors. The shade structure is a maximum of 16 feet high and consists of a fabric membrane. The structure will be neutral, earth tone colors.

**Floor Plans**
The classroom buildings range in area from 5,800 square feet to 5,850 square feet and include offices, classrooms, restrooms, a nurse’s office, lounges, conference rooms and multipurpose rooms. The fourth classroom building will be utilized for multiple purposes including: future classrooms and storage, a stage area, audio-visual room, and restroom facilities.

**Signage**
Signage is not a part of this application.

**Applicant’s Justification**
The proposed private school (K through 8th grade) will fill a gap within the public education system. The applicant states new landscape finger islands with large canopy trees will be provided within the row of new parking spaces adjacent to the playground area. Additional trees
will be dispersed throughout the interior of the parking lot in lieu of the required landscape finger islands. Due to the existing landscape conditions along Twain Avenue, a waiver is being requested to reduce the width of a portion of the existing landscape area to 11 feet. A 5 foot wide pedestrian walkway has been provided around the perimeter of the parking lot to ensure there is not a conflict between students and vehicles. A reduction to the required 5 foot wide sidewalk at the northeast corner of classroom building 1 is requested to accommodate the required 20 foot depth for the handicap accessible parking spaces. Reductions for the approach distance to the Lindell Road and Twain Avenue intersection and for the driveway throat depth along Lindell Road are requested due to existing site conditions.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>UC-0163-17</td>
<td>Private school located on APN 163-13-216-005 only; design review for a wrought iron fence and gates in conjunction with an existing office complex</td>
<td>Approved by PC</td>
<td>April 2017</td>
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<tr>
<td>VS-0702-07</td>
<td>Vacated and abandoned easements of interest to Clark County</td>
<td>Approved by PC</td>
<td>August 2007</td>
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<tr>
<td>DR-0471-06</td>
<td>Office complex</td>
<td>Approved by BCC</td>
<td>May 2006</td>
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<tr>
<td>ZC-0604-05</td>
<td>Reclassified the residential portion of the parcel from R-E to C-P zoning</td>
<td>Approved by BCC</td>
<td>May 2005</td>
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<tr>
<td>ZC-0922-97 (ET-0307-03)</td>
<td>Third extension of time to reclassify portion of the property from R-E to C-P zoning for an office complex</td>
<td>Approved by BCC</td>
<td>January 2004</td>
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<td>ZC-0922-97 (ET-0376-01)</td>
<td>Second extension of time to reclassify portion of the property from R-E to C-P zoning for an office complex</td>
<td>Approved by BCC</td>
<td>December 2001</td>
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<td>ZC-0922-97 (ET-0433-99)</td>
<td>First extension of time to reclassify portion of the property from R-E to C-P zoning for an office complex</td>
<td>Approved by BCC</td>
<td>December 1999</td>
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<tr>
<td>ZC-0922-97</td>
<td>Reclassified the property from R-E to C-P zoning for an office complex and an R-1a zone for residential use – R-1a zoning expired</td>
<td>Approved by BCC</td>
<td>October 1997</td>
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Surrounding Land Use

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<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>Office Professional</td>
<td>C-P</td>
<td>Office development</td>
</tr>
<tr>
<td>South, East, &amp; West</td>
<td>Residential Suburban (up to 8 du/ac)</td>
<td>R-1</td>
<td>Single family residential development</td>
</tr>
</tbody>
</table>

STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.
Analysis

Current Planning

Use Permit & Design Reviews

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 Comprehensive 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.

Staff finds that the proposed school should not create any negative impacts on the surrounding area. The project site complies with Commercial Policy 66 of the Comprehensive Master Plan which states that commercial development should provide access points on arterial and collector streets and not on local neighborhood streets. An existing commercial driveway is located along Lindell Road that is designated as a collector street. The design of the existing buildings comply with Urban Specific Policy 10 that encourages site designs to be compatible with adjacent land uses, especially when the adjacent land use is a lower density or intensity. Commercial Policy 66 states that commercial developments should be compatible with abutting uses through site planning and building design. The existing buildings are set back 59 feet from the western property line, which are adjacent to existing 1 and 2 story single family residences. The maximum height of the buildings varies between 19 feet to 21 feet, as measured to the top of the parapet wall. The design of the existing buildings are appropriate for the area as they incorporate design elements such as a concrete tile roof and stucco exteriors, which are compatible with the adjacent single family homes. The existing 10 foot wide landscape buffer adjacent to the west property line will provide mitigation to any impact the playground area may have on the adjacent residential uses. Staff finds the re-design of the parking lot is functional and allows for proper vehicular circulation throughout the site. Similar shade structures have previously been approved for both public and private schools within unincorporated Clark County, with no known detrimental impact to adjacent properties. Therefore, staff recommends approval of the requests.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Staff can support the applicant’s request for alternative street landscaping along Lindell Road. Four existing trees are located along Lindell Road, where 7 trees are typically required. However, due to the location of the existing utilities (transformer), handicap accessible ramps, and monument sign, it would be difficult and impractical to plant additional trees within this area. Therefore, staff recommends approval.

Staff does not object to reducing the width of the required landscaping along Twain Avenue as there is an existing 4 foot wide pedestrian sidewalk immediately adjacent to the south of
classroom buildings 1 and 4. The pedestrian sidewalk provides a connection between the classroom buildings and the sidewalk along Twain Avenue. The reduced street landscaping is only for a portion of the area along Twain Avenue and will not have any impact on the surrounding land uses and properties. Therefore, staff recommends approval.

Waiver of Development Standards #2
Staff finds the applicant’s request to reduce a portion of the parking lot landscaping reasonable. Four additional large canopy trees will be planted within the interior of the parking lot, in addition to the 4 existing palm trees. The reduction to the parking lot landscaping requirement should not have an impact on the surrounding properties and land uses; therefore, staff recommends approval.

Waiver of Development Standards #3
Staff finds the request to waive the minimum sidewalk width of 5 feet located between a building and parking spaces reasonable. The portion of the existing sidewalk, adjacent to the northern portion of classroom building 1, will be reduced to 4.5 feet to accommodate the required depth of the handicap accessible parking spaces. The reduction to the sidewalk width will have no impact on the existing site design and building; therefore, staff recommends approval.

Waiver of Development Standards #4
Staff finds the existing and proposed decorative wrought iron fence will provide additional security for the proposed school and the future students. The decorative wrought iron fence is aesthetically pleasing and will not have an adverse or negative impact on the surrounding land uses and properties; therefore, staff recommends approval.

Public Works - Development Review
Waivers of Development Standards #5 & #6
Staff has no objection to allowing the existing driveway on Lindell Road to remain as-is since the site is already developed with structures that there is no alternate location for the driveway. As long as the gates remain open during business hours, staff can support the reduced throat depth.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
- Expunge UC-0163-17;
- 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; 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 and compliance;
- Right-of-way dedication to include the property line spandrel per Uniform Standard Drawing 201 on the southeast corner of the site;
- Gates to remain open during business hours.

Building Department - Fire Prevention
- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

TAB/CAC: Spring Valley - approval (1 year to review after school has commenced operation).
APPROVALS:
PROTESTS:

APPLICANT: NASRI ACADEMY FOR GIFTED CHILDREN
CONTACT: NASRI ACADEMY FOR GIFTED CHILDREN, 5130 S. FORT APACHE RD #215-389, LAS VEGAS, NV 89148